



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
4 October 2021

Original: English  
English, French and Spanish only

---

**Committee on the Elimination of Discrimination  
against Women**

**Ninth periodic report submitted by the Philippines under  
article 18 of the Convention, due in 2020<sup>\*,\*\*</sup>**

[Date received: 2 July 2021]

---

\* The present document is being issued without formal editing.

\*\* The annexes to the present report may be accessed from the web page of the Committee.



1. The Philippines' ninth Periodic Report on the implementation of the CEDAW presents the progress and accomplishments for 2016–2019. This report was developed through a participative process of consultation with national government agencies (NGAs) and civil society organizations (CSOs), and from an extensive review of relevant reports and literature. The Philippine Commission on Women (PCW)<sup>1</sup> spearheaded the preparation of this report in coordination with the Presidential Human Rights Committee Secretariat and the Department of Foreign Affairs (DFA). The Congress, through their designated representatives, also participated in consultation meetings and provided inputs.

## I. Highlights of developments since the combined CEDAW seventh and eighth report

2. The Philippines ranks 16th in the World Economic Forum 2020 Global Gender Gap Report. It ranks second in East Asia and the Pacific in closing the gender gap. The Philippines has also shown progress in achieving a more inclusive human development, promoting gender equality, and empowering women and girls. The 2019 Human Development Report (HDR) positioned the Philippines at 106 out of 189 countries and territories with a human development index (HDI) of 0.712, placing the country under high human development category. From 1990 to 2018, the Philippines' HDI increased across three basic human development dimensions: long and healthy life, access to knowledge, and decent standard of living.<sup>2</sup> The 2018 female HDI value for the Philippines was 0.712 compared with the males' 0.710, resulting in a Gender Development Index (GDI) value of 1.004, placing the Philippines in the group of countries closest to gender parity.<sup>3</sup> In the 2019 HDR, the Philippines ranked 98th in Gender Inequality Index (GII)<sup>4</sup> with a value of 0.425.

3. The 2016 national elections placed into power President Rodrigo R. Duterte, whose administration aligned its policy directions with the 2030 Global Agenda for Sustainable Development and the Philippines' Ambisyon Natin 2040 (Vision 2040). The State's Socio-Economic Agenda adopts a human development approach towards improved human capital development as embodied in the Philippine Development Plan (PDP) 2017–2022. Anchored on these policy directions is the Gender Equality and Women's Empowerment (GEWE) Plan 2019–2025, the government's guide and key reference in formulating gender and development (GAD) agenda, plans and budgets, and strategic actions that facilitate the implementation of the Philippines'

<sup>1</sup> The PCW is the oversight and authority on women's concerns. It also serves as the over-all monitoring body and oversight to ensure the implementation of the MCW and its IRR. As the monitoring body on the implementation of the MCW, the PCW leads the preparation of reports on the State's compliance to the CEDAW and the BPfA.

<sup>2</sup> HDR 2019. Inequalities in Human Development in the 21st Century. Briefing Note for Countries on the 2019 HDR: Philippines.

<sup>3</sup> The GDI is calculated for 166 countries. The GDI measures gender inequalities in achievement in three basic dimensions of human development: health (measured by female and male life expectancy at birth), education (measured by female and male expected years of schooling for children and mean years for adults aged 25 years and older) and command over economic resources (measured by female and male estimated GNI per capita). Countries belonging to Group 1 are closest to gender parity, while those in Group 5 are furthest (i.e. have the greatest gender disparity).

<sup>4</sup> The GII can be interpreted as the loss in human development due to inequality between female and male achievements in the three GII dimensions: reproductive health, empowerment, and economic activity. Reproductive health is measured by maternal mortality and adolescent birth rates; empowerment is measured by the share of parliamentary seats held by women and attainment in secondary and higher education by each gender; and economic activity is measured by the labour market participation rate for women and men.

international commitments to gender equality and women's empowerment including the CEDAW, the UN Security Council Resolution (UNSCR) on Women, Peace, and Security, UNSCR on Sexual Violence as a Weapon of War, Beijing Platform for Action on Women (BPfA), and other UN resolutions including the Sustainable Development Goals (SDGs) – particularly Goal 5 on Gender Equality, and relevant Association of Southeast Asian Nations (ASEAN) declarations and action plans.

4. During the reporting period, several laws were enacted promoting gender equality and equity, and providing greater protection against gender-based violence (GBV), consistent with the State's Magna Carta of Women (MCW). These include the "105-Day Expanded Maternity Leave (EML) Law" and the "Safe Spaces Act (SSA)". Other laws passed supporting social inclusion and with gender dimension are the Universal Health Care (UHC) Law, Magna Carta of the Poor (MCP), Universal Access to Quality Tertiary Education (UAQTE) Act, and the Bangsamoro Organic Law (BOL), etc. (*See Annex A*).

5. The reporting period saw increased support of the State on measures specific to women's welfare and human rights, particularly on women's right to reproductive health. Included in the State's 0–10 Point Socioeconomic Agenda (10-Point Agenda) is the strengthening of the implementation of the Responsible Parenthood and Reproductive Health (RPRH) Act. This was preceded by the issuance of Executive Order (EO) No. 12 (s. 2017) on attaining and sustaining "Zero Unmet Need for Modern Family Planning (ZUNMFP)" through the strict implementation of the RPRH Act.

6. The UHC Law is also a breakthrough legislation adhering to the principle of inclusivity in line with the global agenda on SDGs. The law promises to attain wider and improved access of women and girls, including persons with disabilities (PWDs), elderly, and indigenous peoples (IPs), to comprehensive health services. The Philippine HIV and AIDS Policy Act is also instrumental for the improved access of adolescents to HIV testing.

7. The enactment of the BOL is consistent with the State's priority agenda on the promotion of peace and order. The BOL not only provides for the establishment of an autonomous political entity, i.e., Bangsamoro Autonomous Region in Muslim Mindanao (BARMM),<sup>5</sup> it also sets a milestone for women's participation in politics and governance. The BOL is supported by the National Action Plan on Women, Peace, and Security (NAPWPS) 2017–2022,<sup>6</sup> adopting a broader framework addressing the situation of women in armed conflict and recognizing their contributions to conflict transformation.

8. A wide array of programs supporting rural women and girls through strengthened livelihood programs and development of women-friendly machines and technologies are in place. Alternative methods of learning are available for the poor and the marginalized, including girls not attending school due to early pregnancies.

9. The National Climate Change Action Plan (NCCAP) 2011–2028 and the National Disaster Risk Reduction and Management (NDRRM) Plan 2020–2030 are being enhanced to make them more gender responsive and rights-based, and to increase the resilience of vulnerable sectors to climate change and natural disasters.

<sup>5</sup> The BARMM replaces the Autonomous Region in Muslim Mindanao (ARMM).

<sup>6</sup> First developed in 2010, the NAPWPS supports to the implementation of the UNSCR 1325 and 1820 specifically on the areas of increasing women's participation in peace processes and addressing sexual VAW in armed conflict. It also aims to support various initiatives where women empower other women, recognize the intersectionality of gender, ethnicity, and religion, and build a stronger constituency for peace and conflict transformation where women are involved in the front, back, and centre of the process.

10. The reporting period also saw heightened commitment of the State to address transnational and emerging forms of violence against women (VAW) such as those committed through online platforms, as well as trafficking in persons (TIP) across borders and territories. The State spearheaded the development and approval of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP). It championed the crafting and adoption of the Global Compact for Safe, Orderly, and Regular Migration (GCM) and served as main sponsor of two biennial UN Resolutions on Trafficking in Women and Girls (TWG) and on Violence Against Women Migrant Workers (VAWMW). It also steered the adoption of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers in 2017. It also has programs supporting the WeProtect Global Alliance Against Child Sexual Abuse Online. Moreover, the State has retained its Tier 1 classification in the US Department's TIP Report.

## **II. Major developments on concluding observations and recommendations of the CEDAW Committee on the combined seventh and eighth Philippine periodic reports**

### **A. Status of the Convention in national legal order**

11. The State has in its Constitution the Incorporation Clause (IC), mandating that generally accepted principles of international law form part of the law of the land. It subscribes to the principle of *pacta sunt servanda*, where international agreements must be performed in good faith and that a treaty engagement is not a mere moral obligation but a legally binding obligation on the parties.<sup>7</sup> International law, therefore, can be used by Philippine courts to settle domestic disputes. However, in case of conflict between international law and domestic law, the Supreme Court (SC) pointed out that efforts should first be exerted to harmonize them, so as to give effect to both since it is to be presumed that domestic law was enacted with proper regard for the generally accepted principles of international law, in observance of the IC. In a situation, however, where the conflict is irreconcilable and a choice has to be made, jurisprudence dictates that domestic law should prevail. The fact that international law has been made part of the law of the land does not pertain to or imply the primacy of international law over national laws. The doctrine of incorporation decrees that rules of international law are given equal standing with, but are not superior to, national legislative enactments. Accordingly, the principle of *lex posterior derogat priori* takes effect – a treaty may repeal a statute and a statute may repeal a treaty. Where a treaty and a statute are on an equal status, a new treaty prevails over an earlier statute, but it is also the case that a new statute prevails over a treaty.

### **B. Harmonization of national legislation with the Convention and the MCW**

12. The State continues to strengthen its Women's Priority Legislative Agenda (WPLA) which includes priority measures that would harmonize existing legislation with the CEDAW and the MCW. The State, through the PCW, proactively lobbies with legislators and policymakers to sponsor/champion the WPLA. The PCW conducted learning dialogues to gather support on the WPLA, emphasizing its consonance with the CEDAW Committee's concluding observations and recommendations on the State's seventh and eighth periodic report. The PCW closely

---

<sup>7</sup> Tañada v. Angara, 338 Phil. 546, 591–592 (1997).

coordinates with concerned committees in both chambers of Congress to monitor and move forward the WPLA and other gender-related bills.

13. The PCW collaborates closely with CSOs in influencing legislators to support bills on women's protection and rights, including those in the WPLA. Together with women and other support groups, the PCW actively participates in activities on bills preparation.

14. Two of the proposals in the WPLA for the 17th Congress were successfully advocated in Congress and resulted to the passage of landmark laws, i.e., EML Law and the SSA. The remaining proposed legislative measures have been carried over as the WPLA for the 18th Congress. The prioritization of some of the bills, i.e., amendments to the Family Code (FC) and the Anti-Rape Law (ARL), has been endorsed by the Presidential Legislative Liaison Office-Human Development and Poverty Cluster. Likewise, the proposed amendments to the ARL are supported by Executive agencies.<sup>8</sup> Updates on the status of the WPLA from the 16th–18th Congress are provided in *Annex B*.

### C. Access to justice

#### **Effective remedies provided to Karen Vertido and R**

15. An outline of actions in response to recommendations of the CEDAW Committee in Communication No. 18/2008 has been forwarded by the State. In the 17th Congress, some legislators in the House of Representatives (HOR) proposed a Resolution urging the Government to provide assistance to Karen Vertido, following the CEDAW Committee's recommendations.

16. Coordinated efforts of concerned agencies are ongoing to ensure the provision of appropriate interventions and proper case management for both Karen Vertido and R. The recommendations in the case of R served as impetus for the enactment of the Filipino Sign Language Act, requiring courts to ensure the availability of qualified sign language interpretation (SLI) in all proceedings involving deaf persons.

17. The State is coordinating with concerned agencies regarding the Committee's recommendations in Communication No. 34/2011.

#### **Ensuring that justice systems do not discriminate against women and are accessible to women facing intersecting forms of discrimination**

18. The 1987 Constitution guarantees the equality of all persons before the law. Under the equal protection clause, each individual is dealt with as an equal person in the law. The equal protection clause, coupled with existing laws protecting women and children, ensures access to justice of women, without fear of discrimination.

19. Further ensuring that justice systems do not discriminate and are accessible to women, especially those facing intersecting forms of discrimination, the State, through the SC and the Department of Justice (DOJ), capacitates judges, legal and non-legal personnel,<sup>9</sup> law enforcement investigators, and representatives from concerned NGAs, and CSOs on gender sensitivity, competency enhancement in the handling of VAW cases, including dealing with women and children-victims and witnesses, implementing anti-trafficking measures, as well as laws and procedures relative to GBV crimes, investigation, and prosecution of gender-related cases (*See Annexes C.1 and C.2*). In 2018, the SC conducted a National Planning Workshop on

<sup>8</sup> These executive offices include the PCW, DOJ, CWC, PNP, and the PAO.

<sup>9</sup> Includes court personnel, clerks of court and interpreters, public prosecutors, public attorneys, and court social workers.

Addressing Gender-Related Offenses. The planning workshop strengthened the capacities of internal and external stakeholders of the pillars of justice on gender responsiveness. Likewise noteworthy is the State's development of an inclusive system for data generation on crimes involving women; children; elderly; lesbian, gay, bisexual, transgender and intersex (LGBTI); PWDs; and IPs by 2021.<sup>10</sup>

20. In line with the State's commitment under the UN Convention on the Rights of Persons with Disabilities, the State issued a policy on the availability of SLI for deaf women in accessing justice and legal remedies. Through the National Council on Disability Affairs (NCDA), augmentation fund supporting the provision of SLI for deaf women and girls has been provided. An orientation session with public attorneys and prosecutors has been conducted on this concern. Disability sensitivity trainings have been undertaken for stakeholders and frontliners of NGAs, private and business entities, and hospitals.<sup>11</sup> Legal services have been made more accessible to PWDs in regional offices of the Public Attorney's Office (PAO) to handle complaints of qualified PWDs including women. As a member agency of the Sub-Committee on Access to Justice and Anti-Discrimination, the Philippine National Police (PNP) ensures the provision of equal treatment to women and girls with disabilities in its Women and Children Protection Center.

#### **Efforts on making judicial decisions more compliant with the Convention**

21. In order to make judicial decisions more compliant with CEDAW, the State encourages NGAs, including those in the justice system, to mainstream gender in the performance of their mandates. Initiatives to increase gender responsiveness of agencies are being pursued, including capacitating people critical to the delivery of agency mandates. Specifically, personnel<sup>12</sup> in the justice system are capacitated on gender sensitivity, MCW, as well as GBV-related laws and procedures.

22. The State also initiated efforts to harmonize customary and indigenous judicial systems with CEDAW. A roundtable discussion<sup>13</sup> on the implementation of the IPs' tradition into the training of judges was conducted in November 2019. Mechanisms on handling complaints against government officials have been established, taking into consideration the rules of evidence and the customary law of the indigenous cultural communities (ICCs)/IPs, pursuant to the Indigenous People's Rights Act (IPRA).

23. Steps have also been undertaken to harmonize the Code of Muslim Personal Laws (CMPL) with the CEDAW, particularly on child marriage. Several bills have been filed seeking the prohibition of child marriage and declaring the same as illegal. If passed into law, this would result in the amendment of the CMPL. Factors leading to the filing of such bills include the issuance by the Dar-al-ifta Bangsamoro in November 2015 of a new Fatwa on Model Family in Islam, which clarified issues on CM and early marriage. Moreover, the GAD Code of the then ARMM contained provisions discouraging child marriage.

24. Currently, the Bangsamoro Women's Commission (BWC)<sup>14</sup> is preparing for the conduct of a legal review of the CMPL. The proposed GAD Code of the BARMM also contains provisions discouraging child, early, and forced marriages.

<sup>10</sup> SC FY 2018 GAD Accomplishment Report.

<sup>11</sup> DST participants were oriented on disability laws, basic courtesies to PWDs, and use of correct language in referring to PWDs including women. The trainings also provided frontline personnel with the necessary skills and understanding on how to properly assist PWDs.

<sup>12</sup> Includes judges, court personnel, prosecutors and legal investigators.

<sup>13</sup> Through the efforts of the NCIP and the SC

<sup>14</sup> The BWC was created by BG in virtue of the Organic Law for the BARMM.

### Assessing the functionality and effectiveness of women and children protection desks (WCPD) at police stations

25. As stipulated in the Anti-Violence Against Women and their Children (VAWC) Act of 2004, as well as the Expanded Anti-TIP Act of 2012, the State established inter-agency councils for both VAWC and anti-TIP. In 2010, the State issued a Joint Memorandum Circular (MC)<sup>15</sup> establishing Local Committees on Anti-Trafficking and VAWC pursuant to relevant laws.<sup>16</sup> As of 2019, 70 per cent of the provinces have organized their respective Provincial Committee on Anti-Trafficking and VAWC; 88 per cent of the cities have established their CCAT-VAWC; and 83 per cent of the municipalities have their MCAT-VAWC. At the barangay or village level, 92.85 per cent or 38,824 of the 42,045 barangays have existing VAW Desk facilities, catering to VAW cases in a gender-responsive manner.

26. Member-agencies of inter-agency councils on VAWC and trafficking converge in providing programs and services to women, including those with disabilities. Through its local counterparts, the Department of Social Welfare and Development (DSWD) provides psycho-social services to women who are victims of GBV. GBV cases are referred to relevant institutions such as the PNP and PAO. The Department of Health (DOH) responds to GBV through 4Rs i.e., Recognizing, Recording, Reporting, and Referral approach in women and children protection units (WCPU).<sup>17</sup> At present, there are 115 WCPUs established nationwide with trained service providers.

27. In 2017, the State, through DILG MC No. 2017-114, started monitoring the functionality of *barangay* VAWC Desks. Out of the 38,824 *barangays* with VAWC desks, 19 per cent were categorized as ideal level; 53 per cent were at mature level; 22 per cent were at progressive level, and 5 per cent were at basic level.<sup>18</sup>

28. The PNP, through its Women and Children's Protection Desks (WCPD), in all police stations and community precincts nationwide, provides assistance to women and children who are victims of violence. The assessment of the functionality of PNP VAW Desks is to be implemented in 2022 using the Performance Standards and Assessment Tools for Services Addressing VAW in the Philippines.

29. Investigation, legal, and financial assistance in cases of human rights violations against women and LGBTI are part of the mandates of the Commission on Human Rights (CHR). In 2019, the Commission *en banc* adopted an increased rate of financial assistance for human rights victim-survivors, which included increased financial assistance for women survivors of sexual and other forms of violence, upon resolution of the Commission's regional offices.

<sup>15</sup> Signed by the DILG, DSWD and DOJ.

<sup>16</sup> As provided under the Anti-VAWC Act as well as by the Expanded Anti-TIP Act.

<sup>17</sup> A facility-based GBV health service.

<sup>18</sup> The 2019 assessment report of DILG shows that 38,824 (92 per cent) out of 42,045 barangays have established their Barangay VAW Desk, which increased from 29,929 or 71 per cent of barangays in 2018. Out of the 38,824 barangays assessed, 7,553 (19 per cent) were categorized under Ideal level; 20,739 (53 per cent) fall under Mature level; 8,677 or 22 per cent of barangays are in the Progressive level while only 1,855 or 5 per cent belong to the Basic category. In 2018, out of 29,929 barangays with VAW desks, only 5,197 (17 per cent) were categorized as Ideal; 16,490 (55 per cent) were considered mature; 6,708 (22 per cent) were progressive; and 1,534 (5 per cent) were in the basic category.

## **D. National machinery for the advancement of women**

30. The State implemented measures to strengthen the PCW to enable it to more effectively discharge its mandate as the authority on women's concerns and catalyst of gender mainstreaming in the Philippines.

31. In June 2016, pursuant to MCW Section 38, the Department of Budget and Management (DBM) approved PCW's organization and staffing modification to implement PCW's *Accelerating the Implementation of the MCW for Inclusive Development and Empowerment* (AIMWIDE) which ushered the creation of the Sectoral Coordination Division and 21 additional *plantilla* positions in PCW. With AIMWIDE, PCW was provided with the needed budgetary support to perform its function as the national machinery on gender equality.

32. Among the programs and thrusts pursued by PCW during the reporting period include: (a) development of the national gender equality plan and monitoring and evaluation-related documents including conduct of research and studies on women and gender-related concerns; b) establishment of mechanisms that serve as channels to expand PCW's reach at the national and local levels; (c) partnerships with various stakeholders to strengthen gender mainstreaming in priority sector; and, (d) installation of PCW's ICT infrastructure for more efficient delivery of GAD-related services (*See Annex D*).

33. To reinforce and strengthen PCW's mandate, a proposed EO for the creation of five PCW regional offices and elevation of the rank of PCW Chairperson to Undersecretary level is being reviewed.

## **E. National human rights institution**

34. The CHR, as the GAD Ombud, established the Gender Equality and Women Rights Center (GEWRC).<sup>19</sup> In 2016, the CHR adopted the Gender Ombud Guidelines (GOG) enumerating standards for redress in cases of human rights violations and abuses. It complements CHR's existing "Guidelines and Procedures in the Investigation of Human Rights Violations" and "Manual on the Investigation and Case Management", and expands CHR's role/function to monitor NGAs' compliance of the MCW and other laws on women.

35. Complaints involving women and LGBTI are received through CHR's 16 regional offices. CHR undertakes fact-finding missions upon receipt of complaints or *ipso facto* violations on the MCW and other related laws on women vis-à-vis CEDAW and other human rights treaties. Complainants are provided with legal assistance in the filing of cases against individuals and other entities that violate provisions of the MCW.

36. While the CHR's resolutions arising from its fact-finding investigations are recommendatory in nature for concerned NGAs, the legal assistance provided by the Commission on cases in violation of the MCW has rendered significant results (*See Annex E*).

## **F. Temporary special measures**

37. The State has initiated temporary special measures addressing barriers to women's full participation in government, civil society, scholarships, trainings, and

---

<sup>19</sup> The GEWRC is primarily responsible for formulating and implementing programs and activities related to the promotion and protection of the human rights of women.

in other development processes. Included in PCW's WPLA for the 18th Congress is the enactment of a Women's Political Participation and Representation Law (WPPRL) supporting the "adoption of a gender quota and other temporary special measures as affirmative actions that would level the playing field and provide equal opportunities for women to run for public office". The same intent is embodied in the BOL which guarantees one reserved sectoral seat for women, youth, traditional leaders, and the *ulama* in the Bangsamoro Parliament.

38. Despite the absence of statutory gender quota, the State issued enabling policies promoting women's participation in elections. These include (a) Commission on Elections' (COMELEC) Resolution No. 10488<sup>20</sup> prohibiting election campaign or propaganda materials in violation of the MCW; and (b) COMELEC Resolution No. 10514<sup>21</sup> providing incentives to political parties with women's agenda and encouraging the integration of women in their leadership hierarchy, internal policy-making structures, appointive, and electoral nominating process. (*See Annex F.1 for Other Measures Aimed at Increasing Women's Participation in Elections*).

39. The State also institutionalized policy measures promoting competency-based recruitment, promotion, appointment as well as selection for learning and training to create a non-bias playing field for women and men in the civil service. These are outlined in the Civil Service Commission's (CSC) policies such as: the Enhanced Competency-based Recruitment, Promotion, and Placement; the Competency-based Learning and Development Management System; and the Omnibus Rules on Appointments and other Human Resource Actions. The CSC also issued resolutions encouraging the participation of Muslim women in the civil service, as well as women belonging to marginalized groups such as those with disabilities, pregnant, and senior citizens (*See Annex F.2 on Policies Supporting Women in the Civil Service*). As of May 2019, government human resources reached 1,728,641 with 879,524 (50.88 per cent) female, and 849,117 (49.12 per cent) male. In the Career Service, women dominate the 2nd level positions (57.59 per cent), while men predominate the 1st level positions (64.65 per cent), e.g., clerical and custodial services. Of the total government human resource, 7,920 are PWDs while 41,671 belong to IPs.<sup>22</sup>

40. While the number of women in third level, i.e., highest-level in the career service, positions is at 42 per cent (*See Annex F.3*), the State, through the Career Executive Service Board (CESB) ensures that there is no bias in the hiring and promotion to third level positions. The CESB ensures that appointment and promotion to the Career Executive Service (CES) are based on merit and fitness through the four-stage CES eligibility process which is meant to form a continuing pool of well-selected and development-oriented career officials who shall provide competent and faithful service in the CES.

41. Meanwhile, women's representation across Regional Development Councils (RDCs) ranges from 24–41 per cent for 2015–2022.

#### **Instituting a mechanism to monitor the impact of temporary special measures taken**

42. The implementation of temporary special measures is monitored by concerned agencies submitting reports to the PCW. Through PCW's influence and continuous

<sup>20</sup> Issued on January 30, 2019. The Resolution prohibits the printing, publishing, posting, and distributing of any election campaign or propaganda materials that violates gender sensitivity, is obscene or election campaign or propaganda materials that violates gender sensitivity, is obscene or offensive, or constitutes violation of MCW.

<sup>21</sup> Issued on March 25, 2019.

<sup>22</sup> Inventory of Government Human Resources, Career and Non-career, as of May 31, 2019. CSC Inputs to CEDAW 9th Periodic Report.

sector-focused capacity building, concerned agencies are informed of gender issues in their respective sectors. These agencies are encouraged to institutionalize policies and systems to serve as temporary special measures in providing equal opportunities for women.

## G. Stereotypes and harmful practices

### Persisting stereotypes about the roles and responsibilities of women and men

43. The State's 2019–2025 GEWE Plan contains a chapter on “Transforming Gender Norms and Culture”, providing strategies to guide stakeholders in formulating programs and actions to dismantle gender stereotypes and transform gender norms and culture towards a more gender responsive society. The Chapter highlights a “whole-of-society” approach involving family, schools, religion, media, CSOs, and the private sector to transform discriminatory gender norms and culture and to create an enabling environment that builds a culture supporting gender equality and women’s empowerment.

44. Annual campaigns such as the national women’s month celebration and the observance of the 18-Day Campaign to End VAW are the State’s main platforms for raising public awareness on gender issues and changing traditional perceptions about women. Government instrumentalities and the private sector conduct activities encouraging public participation and support for measures addressing gender issues.

45. Owing to their mandate of educating and honing young minds, educational institutions<sup>23</sup> have implemented measures aimed at instilling awareness among students on the existing gender discrimination and double standard perception against women. Scholarship programs in tertiary education have provided opportunities for women to enrol in traditionally male-dominated courses. Educational institutions, such as state universities and colleges (SUCs) and higher education institutions (HEIs), are implementing capacity building activities to raise gender sensitivity, including for persons with diverse sexual orientation, gender identity, and expression (SOGIE), among students, faculty members, and staff.

46. The State also involves men in the promotion and protection of women through programs such as Men’s Responsibilities in GAD (MR GAD),<sup>24</sup> *Kalalakihang Tapat sa Responsibilidad at Obligasyon sa Pamilya* (KATROPA)<sup>25</sup> [*Men Faithful to their*

<sup>23</sup> CHED, the DepEd and the TESDA.

<sup>24</sup> MR GAD is an initiative that took-off as a research with intervention initiatives on “Filipino Men and Domestic Violence” by the Health Management and Research Group Foundation, Inc. in Davao City. The project evolved into a good practice which intended to transform pilot communities to become more responsive to gender and RH concerns of men and boys. The engagement involved the conduct of FGDs among married men from the urban and rural areas. Its management and implementation is being made by men champions and advocates who believe in gender equality and that promoting gender equality should start among men and boys at the barangay level. The project employs various strategies such as: men-talking-to men; counselling; medico-legal assistance; passage and support of gender related policies and ordinances among others. All these would result to rational attitudinal and behavioural change among men. (Available at: <http://popcom.gov.ph/gender-and-development-gad/>).

<sup>25</sup> KATROPA is an aspiration or movement which aims to shape and change men as responsible individuals, parents, and partners for the development of their family and the community. It is advancing innovative views on the role and responsibility of men in society with emphasis on their ability to be responsible for their decisions and advocate of health for themselves and their families; family planning, healthy and safe pregnancy of their wife or partner, and active participation in the development of the society. Every man forged innovative insight into the real man; he would be expected to be an advocate of change in his own family, peers, and the entire community. (Available at: <http://popcom.gov.ph/gender-and-development-gad/>).

*Family's Responsibilities and Obligations*], the Empowerment and Reaffirmation of Paternal Abilities Program (ERPAT),<sup>26</sup> and support to the HeforShe initiative. The ERPAT framework is integrated in the Conditional Cash Transfer Program (CCTP) where one of the modules of Family Development Sessions (FDS) teaches recipient-parents on shared responsibility in caring for their children. The assessment on the behavioural and social outcomes of the CCTP noted that “[F]amily life sessions on child rearing, discipline, and addressing domestic conflicts made a strong impression on *Pantawid Pamilyang Pilipino Program* (Bridging Program for the Filipino Family or 4Ps) families”.<sup>27</sup>

### **Engaging the media in gender advocacy**

47. In 2017, the Media and Gender Equality Committee (MGEC), in collaboration with media entities, the academe, and CSOs launched the “Gender-Fair Media Guidebook”, which presents how standards of gender equality can be applied in news coverage and on the portrayal of women in the media, including assessment tools and pointers on keeping a non-sexist language to ensure the gender-fairness of media products. Gender sensitivity and orientation seminars on the Guidebook were conducted for media professionals and public information officers to promote gender-fairness in media.<sup>28</sup>

48. To address women and child pornography, media regulatory agencies<sup>29</sup> seize pornographic materials and suspend television programs which present women as sex objects. Officers of such television programs are required to attend seminars on gender sensitivity.

49. Information campaigns such as “*Matalinong Panonood*” (Responsible Viewership) are conducted to increase media literacy and encourage critical viewership, especially among children, women, PWDs, and senior citizens. Campaigns on cyber media and information literacy tackling the prevention of different forms of online violence are also implemented. The weekly radio segment “*Tinig ng Kababaihan*” (Women’s Voices) serves as a venue to share inspiring stories of women empowerment and to raise public awareness of government efforts to promote gender equality and women’s human rights. In 2018, the State collaborated with an advertising agency<sup>30</sup> for a nationwide radio campaign against catcalling, emphasizing that it is a form of sexual harassment (SH).

### **Fully implementing CHR recommendations in its resolution on Case No. 2016-078**

50. The State, through the PCW, issued statements<sup>31</sup> condemning rape jokes and expressing dismay over public officials’ perpetuating misogyny. The PCW reminded the public that sexual molestation or abuse, including rape, are public crimes and a violation of human dignity, and should never be treated as a joke to prove a point.

<sup>26</sup> ERPAT aims to discuss with fathers their changing role as head of the family, and raising their understanding of the needs of boy and girl children.

<sup>27</sup> Source: DSWD input to the CEDAW 9th Periodic Report, Presentation on the Study on the Behavioural and Social Outcomes of 4Ps.

<sup>28</sup> PIA Inputs to CEDAW 9th Periodic Report.

<sup>29</sup> Optical Media Board and the MTRCB.

<sup>30</sup> DDB Philippines.

<sup>31</sup> ‘Rape is a heinous crime, not a laughing matter’. PCW Website. April 17, 2016. Available at: <https://www.pcw.gov.ph/article/rape-heinous-crime-not-laughing-matter> (Accessed: July 21, 2020); Ryan Macasero (2019) ‘Women’s commission slams officials who ‘perpetuate misogyny’’. Philippine Star. January 7, 2019. Available at: <https://www.philstar.com/headlines/2019/01/07/1883126/womens-commission-slams-officials-who-perpetuate-misogyny>. (Accessed: July 21, 2020).

Similarly, the Men Opposed to Violence Against Women Everywhere (MOVE)<sup>32</sup> Chapter in Aklan issued a statement condemning persons and their acts for trivializing rape and other forms of abuses against women, girls, and boys. The COMELEC also committed to propose a Code of Conduct for Candidates, and reform election rules to emphasize gender sensitivity and gender equality.

51. Meanwhile, the Department of Education (DepEd) issued Department Order No. 32, s. 2017 on “Gender-Responsive Basic Education Policy” integrating gender equality, gender equity, gender sensitivity, non-discrimination, and human rights in the basic education. The Commission on Higher Education (CHED) issued Memorandum Order (CMO) No. 1, s. 2015 on “Establishing the Policies and Guidelines on GAD in CHED and HEIs” ensuring the conduct of gender sensitivity trainings in the agency and in all public and private HEIs and the use of gender-fair language.

52. The State passed the SSA expanding the scope of the Anti-Sexual Harassment Act (ASHA) to include sexual harassment in streets, in public and online spaces. The Act specifies that as part of the community service to be undertaken by Gender-Based Sexual Harassment (GBSH) offenders in streets and public places, the latter must attend a gender sensitivity seminar. It also requires local government units (LGUs), employers, and educational institutions to conduct ASHA seminars and capacity building activities for their respective constituents/clients, the cost of which may be funded by the GAD budget as provided for in Joint Circular (JC) No. 2012-01.<sup>33</sup>

## H. Gender-based violence against women (GBV)

### Adoption of a comprehensive legislation on GBV

53. While the number of reported VAW cases to the PNP decreased (*See Annex G.1*), the 2017 National Demographic and Health Survey (NDHS) results showed that 20 per cent experienced emotional violence, 14 per cent experienced physical violence, and 5 per cent experienced sexual violence by their current or most recent husband or partner. VAW cases are also being reported to other service providers such as *barangay* VAW desks, National Bureau of Investigation (NBI), WCPUs, PAO, and non-government organizations (NGOs). At present, the PNP is the only source of national VAW data through their well-established Crime Information Reporting and Analysis System. Nevertheless, the State continues to address VAW and other forms of GBV through its various laws, policies, programs, and services.

54. The State expresses its reservation in adopting a comprehensive legislation on GBV considering that separate and individual laws covering various forms of violence are already in place. A comprehensive legislation on GBV would entail the adoption of an extremely broad topic to be contained in a singular law. Various forms of violence penalized under Philippine criminal laws have their own set of elements are unique to each offense. Penal laws which criminalize violence inflicted which against women also have their own set of penalties, nuances, and remedies for offended parties. Hence, it is only appropriate that varied forms of violence be embodied in separate legal codifications.

<sup>32</sup> MOVE, which consists of men who committed themselves to be actively involved in the elimination of VAW. Its members come from various organizations, including the government, private sector, academe and NGOs. MOVE organizes and capacitates men from all over the country who do not only detest VAW but are also willing to pro-actively work towards its eradication. MOVE groups were organized in Quezon Province, Aklan, Sultan Kudarat, Northern Samar and Southern Leyte.

<sup>33</sup> JC No. 2012-01 was signed by the PCW, NEDA and the DBM and provided for the “Guidelines for the Preparation of Annual GAD Plans and Budgets and Accomplishment Reports to Implement the MCW”.

### **Amendment of the ARL**

55. The amendment of the ARL of 1997 is included in the WPLA in the 17th Congress and the ongoing 18th Congress. One of the proposed provisions that has gained support from concerned NGAs and CSOs is the increase in the age of statutory rape from “under 12 years old” to “under 16 years old”. Several bills amending the age of statutory rape from “under 12 years of age” to “under 16 years of age” are now being considered in Congress. The proposals to (1) place the lack of consent at the centre of the offense; (2) repeal the forgiveness clause; and (3) clarify that the lack of physical resistance to rape does not constitute consent, are all contained in the bill which has been approved upon first reading at the HOR this year.

### **Strengthening response to online sexual exploitation and abuse of children**

56. As a member of the WeProtect Global Alliance Against Child Sexual Abuse Online, the State commits to implement the UN Convention on the Rights of a Child (UNCRC) and its Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, as well as the 1987 Constitution and other related domestic laws. *Annex G.2* presents the Legal Frameworks and Implementation of Commitments to the Global Alliance. *Annex G.3* provides other concrete interventions and results.

### **Adoption of bills expanding the definition of sexual harassment**

57. Signed into law on 17 April 2019, the SSA addresses the gaps in the State’s ASHA prohibiting sexual harassment committed between peers, by a subordinate to a superior, by a student to a teacher, or by a trainee to a trainer. It also outlines additional duties and corresponding liabilities for employers and heads of schools and training institutions and to ensure that sexual harassment complaints in their respective institutions are addressed appropriately. More notably, the law penalizes sexual harassment which occurs not just in a work and education setting but in other environments, e.g., public spaces and online platforms.

### **Preventing and investigating GBV and supporting GBV victims in conflict-affected areas and in areas of large-scale development projects**

58. The State implements zero tolerance policy for abuses and human rights violations especially by State actors. The State has fully functioning accountability mechanisms and domestic processes<sup>34</sup> that prevent, investigate, and punish all forms of human rights violations including GBV (*See Annex G.4*).

59. Policies that guarantee protection of women and girls from GBV, especially in times of armed conflict, are in place. These include the NAPWPS 2017–2022 (*See Annex G.5*) and the BARMM Regional Action Plan on Women, Peace, and Security (RAPWPS).<sup>35</sup> In line with the BARMM RAPWPS, the BWC has been providing services and initiating measures towards the prevention of VAW in BARMM.<sup>36</sup> The implementation of the National Plan of Action for Children 2017–2022 has also been

<sup>34</sup> Rocamora, Joyce Ann L.PH reiterates 'zero tolerance' for human rights abuses. Philippine News Agency, June 26, 2019. Sourced from <https://www.pna.gov.ph/articles/1073406> on October 5, 2020.

<sup>35</sup> The RPWPS’4 pillars are: 1) Protection and Prevention, 2) Empowerment and Participation, 3) Promotion and Mainstreaming, and 4) Monitoring and Evaluation.

<sup>36</sup> The BWC has been providing referral services for victim-survivors of sexual and GBV, especially those committed in emergencies. The BWC is working with the WCPD of the PNP in case build-up. The agency has also increased its effort in educating barangay officials on RA 9262, especially on the aspect of “no amicable settlement” of VAWC cases. This is in response to the alarming incidents of VAWC cases being settled by some members of the Barangay Lupon (Village Committee).

aligned with the Strategic Action Plan (SAP) on VAWC as well as the NAPWPS, particularly on girl child issues in conflict areas. The Special Protection of Children in Situations of Armed Conflict (SP CSAC) Act also provides special protection to CSAC from all forms of abuse, violence, neglect, cruelty, and discrimination.

#### **Addressing the root causes of vulnerability of women and girls to violence**

60. The State uses a “whole-of-society” approach in transforming traditional patriarchal mindsets that perpetuate gender stereotyping and discrimination of women in order to address the root causes of women and girls’ vulnerability to violence (*See paragraphs 47–49 under Stereotypes and Harmful Practices above.*) Gender sensitivity and other gender-related modules are integrated in capability building components of poverty alleviation programs of the State. Through the FDS of the CCTP, gender sensitivity and shared parenting responsibilities are discussed. The capability building programs of NGAs are also integrated with gender sensitivity sessions or orientations on the Anti-VAWC Act and the MCW. The PNP, likewise conducts “*pulong-pulong*” or community awareness dialogues to prevent various crimes including VAW.

61. Promotion of women’s economic empowerment also contributes towards reducing vulnerability of women and girls to violence. Various livelihood and entrepreneurship programs are implemented by the State through agencies like DSWD, DOLE, DA, CDA, NAPC, and DTI to increase women’s income and build their confidence (*See related discussion in paragraphs 143–149 under Rural Women*). The use of digital technology also serves as venue to reach more women and girls, including parents, to increase their awareness on and reduce their vulnerability to VAW and online sexual abuse.

62. Policy frameworks that perpetuate dominance of males over females are also being challenged. Included in PCW’s WPLA for the 18th Congress is on ensuring women’s equal rights in marriage and family relations, which aims to remove traces of inequality between spouses with respect to their ability to provide parental consent to marry, and to administer their community property or conjugal partnership, among others.

#### **Systematic collection of comprehensive and disaggregated data on VAW**

63. The Inter-Agency Council on VAWC (IACVAWC) is currently undertaking the VAW Data Harmonization project<sup>37</sup> to address the apparent lack of unified VAW data collection and to ensure proper documentation, response, and management of reported VAW cases. The standard VAW forms were developed and pre-tested prior to the finalization of guidelines on how to fill-out the intake form, including the development of data sharing agreement and protocols to ensure that all sensitive information will be kept confidential.

64. The PNP collects data on VAW in relation to violation of the Magna Carta for Persons with Disability and the Anti-VAWC Law. The BWC is also developing a data collection system under its program on education and research development. The strategies include the institutionalization of sex-disaggregated data and information on VAW across all sectors.

<sup>37</sup> PCW and IACVAWC initiated the development of a web-based VAW Documentation System. Results of the pilot-test, however, showed that it cannot be implemented in areas with little or no internet connection as the system would require a lot of resources from the service providers. Given the said limitations, PCW and IACVAWC deemed it necessary to strengthen the manual data collection system before venturing into an electronic-based system; thus, the IACVAWC is now undertaking the VAW data harmonization project.

65. Data on TIP cases filed are monitored by the Prosecutor's Office (PO) and Regional Trial Courts (RTC) utilizing the Prosecutor's TIP Case Management System. To ensure real time monitoring and submission of reports and updates on TIP cases, on 14 January 2020, a directive was issued to all Prosecutors and Administrative Staff assigned on criminal records to submit monthly updates of TIP cases filed and pending before the courts.<sup>38</sup>

66. A GBV Observatory (GBVO) has been established by the CHR. The GBVO gathers data and conducts research to look into the implementation of laws on GBV; women's lived experiences on GBV; and the recommendations for government's action. As a resource hub, it collects quantitative data, laws, jurisprudence, researches, and situationer reports on GBV.

## I. Trafficking and exploitation of prostitution

### Legislative measures that cover contemporary methods of trafficking

67. The Anti-TIP Act, as amended, penalizes any person, who introduces or matches for money, profit, or material, economic or other consideration, any person or any Filipino woman to a foreign national, for marriage; or offers or contracts marriage, real or simulated, for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labour, slavery, involuntary servitude or debt bondage. Online matchmaking is specifically penalized by the Anti-Mail Order Spouse Act, which was enacted into law in July 2016. Under the said Act, it prohibits matching or offering a Filipino to a foreign national for marriage or common law partnership on a mail-order basis or through personal introduction, email, or websites on the internet (*See Annex H.1*).

### Implementation of the expanded Anti-TIP Act

68. The implementation of the expanded Anti-TIP Act is embodied in the third National SAP Against TIP 2017–2022. The Plan is implemented through four (4) key result areas of (1) prevention and advocacy; (2) protection, recovery, rehabilitation and reintegration; (3) prosecution and law enforcement; and (4) partnership and networking. The Plan's implementation encompasses trafficking that occurs in the context of disasters and conflicts. Every year, a monitoring and evaluation activity is conducted by the Inter-Agency Council against Trafficking (IACAT) to assess the implementation of the action plan.<sup>39</sup>

69. The State also developed the Guidelines on the Referral System, a practical guide for anti-trafficking advocates on how to effectively and efficiently handle TIP

<sup>38</sup> The existing IACAT database on TIP cases filed before the PO and RTC has no disaggregated data yet.

<sup>39</sup> Monitoring of the Local Committees on Anti-TIP and VAWC per RA 9208 (as amended) and RA 9262 revealed that there are 70 per cent (57) of the total 81 provinces in the country have organized Provincial Committee on Anti-Trafficking and VAW. At the city/municipal level, 88 per cent (127) of the total 145 cities nationwide have established the City Committee on Anti-Trafficking and VAW while 83 per cent (1,237) of the 1,489 total municipalities in the country has Municipal Committee on Anti-Trafficking and VAW. As of 31 December 2019, 92.30 per cent (38,811) of the total 42,045 barangays have already established its Barangay Council for the Protection of Children (BCPC), while around 92.85 per cent (39,039) out of the 42,045 total barangays have existing VAW-DESK facilities. The BCPC is a mechanism at the barangay level that handles concerns of children while Barangay VAW Desk addresses cases that concerns VAW in a gender-responsive manner. Further, as of 31 December 2019, there are 28,674 and 28,292 barangays with operational BCPC and Barangay VAW Desks, respectively.

cases.<sup>40</sup> Complementing the guidelines is the Victim Witness Information Sheet which provides a roadmap on the whole spectrum of TIP, with the end goal of providing a more efficient delivery of services to survivors – whether it be from the point of rescue, prosecution, and eventually, recovery and reintegration.

70. Similar measures addressing the root causes of vulnerability of women and girls to VAW (*See discussion under GBV*) are also implemented for trafficking. In addition, legislative measures such as the Children’s Emergency Relief and Protection Act and the SP CSAC Act were enacted to protect children, including girls, during disasters and armed conflict (*See Annex H.2*).

71. The State’s measures to ward off TIP are gaining results. Since 2016, the State has retained its Tier 1 ranking in the US government’s report on human trafficking,<sup>41</sup> resulting primarily from heightened implementation of the amended Anti-TIP Act of 2013. Data from the DOJ IACAT show an increasing trend in the number of TIP convictions, as well as in the number of persons convicted from 2016–2018. (*See Annex H.3*). The significant increase of TIP convictions, particularly in 2018, is attributed to the (a) establishment of functional Anti-Trafficking Task Forces composed of dedicated and well-trained prosecutors nationwide; (b) strong collaboration among key players on investigation and prosecution of TIP cases, including law enforcers, prosecutors, and social workers that strengthen the investigation and case build-up; (c) increased resources and assistance from partners, i.e., NGOs and international organizations; and (d) increased number of TIP cases resolved through plea bargaining agreement. Related results on measures to address TIP are presented in *Annex H.4*.

#### **Rehabilitation and reintegration programs and establishment of shelters for TIP victims**

72. The State’s Recovery and Reintegration Program for Trafficked Persons (RRPTP) provides services such as case management, support to victims and witnesses, and shelter for victims-survivors. From 2015–2019, the RRPTP has served a total of 9,332 trafficked victims, of which 64.2 per cent were females, and 35.8 per cent were males (*See Annex H.5*). The State’s victim assistance covers all victim-survivors of trafficking regardless of age, sex, and nationality. Hence, foreign victims have the same access to all services provided to domestic victim-survivors.<sup>42</sup>

73. Pursuant to Section 16 of the Anti-TIP Act, the State established temporary shelters for TIP victims. These shelters include: the IACAT *Tahanan ng Inyong Pag-asa* (IACAT-TIP) Center or the IACAT Shelter of Hope Center; *Bahay Kanlungan sa Paliparan* or Temporary Shelter at the Airport; and the residential care facility for male victims of trafficking (*See Annex H.6*). The IACAT is also working with NGOs that have facilities catering to trafficked victims and providing temporary shelters and protective care services.

<sup>40</sup> The objective of the Guidelines on Referral Systems is to ensure the successful reintegration of trafficking survivors into mainstream society.

<sup>41</sup> Philippines retains Tier 1 in 2020 US human trafficking report. June 26, 2020. [gmanetwork.com](https://www.gmanetwork.com) (Lifted on August 19, 2020).

<sup>42</sup> Foreign victims have the same access to all the psychosocial care services provided to domestic victim-survivors of trafficking such as temporary shelter, psychosocial intervention and repatriation services. The DSWD coordinates with the foreign embassies and the Bureau of Immigration in providing psychosocial services to foreign victims to ensure their reintegration.

### **Strengthening bilateral, regional and international cooperation to prevent TIP**

74. The State has crucial roles in the prevention of TIP at the regional and international fronts. It is a signatory to the Protocol to Prevent, Suppress and Punish TIP Especially Women and Children and has enacted the Anti-TIP Act of 2003, as amended.<sup>43</sup> It also spearheads the development and approval of the ACTIP and is the main sponsor of the two biennial UN Resolutions on TWG and on VAWMW. The State also entered into a Memorandum of Understanding with the Government of the United Arab Emirates on Cooperation Against Human Trafficking signed on 26 September 2019 (*See Annex H.7*).

### **Decriminalization of women in prostitution**

75. The adoption of a legislative measure to amend the Revised Penal Code (RPC) to decriminalize women in prostitution is among the WPLA for the 18th Congress. Legislative measures have been filed in both chambers of Congress, and bills related to the decriminalization of women in prostitution are pending at the committee level of the HOR.

## **J. Political and public Life**

### **Adoption of statutory quotas for the representation of women candidates**

76. The State continually pursues policy measures on the adoption of statutory gender quotas to address the low representation of women candidates in elections (*See Annex I.1*). Included in PCW's WPLA for the 17 th–18th Congress is the enactment of a WPPRL. Bills promoting women's participation and equitable representation in and by political parties were filed during the 17th Congress and similar bills have also been filed in the 18th Congress.

77. In the absence of a statutory gender quota for representation of women candidates, the State has issued and implemented policies aimed at encouraging women inclusion in political parties' candidates. On 25 March 2019, the State, through the COMELEC, issued Resolution No. 10514 providing incentives to political parties with women's agenda and encouraging the integration of women in their leadership hierarchy, internal policy-making structures, appointive and electoral nominating process.<sup>44</sup>

### **Diversity in women's representation in legislative, administrative, and judicial bodies**

78. Signed into law in 2018, the BOL embodies gender responsiveness as it does not only provide for the protection of women but also reaffirms the crucial role of women in governance. Women, youth, traditional leaders, and the *ulama* have one reserved sectoral seat each in the Bangsamoro Parliament (*See Annex I.2*). It ensures the representation of women in other decision-making and policy-determining bodies of the Bangsamoro Government (BG).

79. While Bangsamoro women regardless of age, civil status, and educational attainment, may participate in politics, their numbers remain low. To contribute towards the increased representation of women from vulnerable groups in politics,

<sup>43</sup> As amended by the Expanded Anti-TIP Act of 2012.

<sup>44</sup> Included in the Criteria for Determining the Dominant Majority Party, Dominant Minority Party, Ten Major National Parties and Two Major Local Parties is the number of women candidates fielded by political parties from the municipal level to the position of Senator. Political parties that will field at least 30 per cent women candidates shall receive 10 points.

the State conducts seminars for Bangsamoro women encouraging them to participate in the local and national elections.

80. The State also ensures the mandatory representation of ICCs/IPs in policymaking bodies and other local legislative councils (Section 16, IPRA). As indigenous mandatory representatives (IPMRs), they participate in the decision-making processes of their respective LGUs and bodies to bring to fore the issues and concerns of ICCs/IPs. To date, there are 824 indigenous women selected as mandatory representatives of their respective communities in the regional, provincial, municipal, and barangay levels equivalent to nearly 21 per cent of the total currently seated IPMRs in all regions and levels.

#### **Adoption of regional and local action plans in BARMM**

81. With the enactment of the BOL, the BARMM developed and adopted the 1st Bangsamoro Development Plan (BDP) 2020–2022. The Plan was developed through consultations and workshops<sup>45</sup> with various stakeholders. Consistent with the BOL and the NAPWPS, Chapter 10 of the Plan on Upholding Peace, Security, Public Order and Safety, and Respect for Human Rights recognizes the need to address sexual and GBV and protection of the rights of women, children, and the youth in situations of armed conflict, as well as the participation of women and youth sectors in peacebuilding initiatives in the Bangsamoro.<sup>46</sup>

## **K. Education**

#### **Promoting the enrolment of girls in pre-primary and primary education and addressing dropped-outs**

82. The State has facilitated high access rate of girls and boys to primary and pre-primary education (*See Annex J.1 and J.2*). Moreover, programs and initiatives sustaining this gain are continually implemented within the framework of the K-12 Basic Education Program (K-12 BEP).

83. The State's Inclusive Education Program, the core principle of the K-12 BEP, promotes the right of every Filipino to quality, equitable, culture-based, and complete basic education. The program adheres to the principle of inclusion promoting institutional sensitivity and responsiveness to the nature, situation, and realities of learners. It is implemented through existing programs that include the Multigrade Education Program, Special Education, IPs' Education, and Madrasah Education (*See Annex J.3*).

84. The School-Based Feeding Program, which intends to address short-term hunger and under nutrition by providing hot meals to undernourished Kinder-Grade 6 learners is also one approach in ensuring that young learners stay in school.

85. The assessment of the *Bata Balik Eskwela*<sup>47</sup>(Kids Back to School) or BBE component of the 4Ps showed that school absenteeism is just a symptom of more complex gender-based child protection issues.<sup>48</sup> The study revealed that early pregnancy, early marriage/cohabitation and child labour are among the top reasons for school absenteeism (*See Annex J.4*). Through the BBE, the State provided some

<sup>45</sup> Determining PAPs: 1st Bangsamoro Regional Development Plan for 2020–2022 Refinement Workshop. Sourced from mpw.bangsanri.gov.ph.

<sup>46</sup> 1st BDP 2020–2022, p. 273.

<sup>47</sup> The “Bata Balik Eskwela” is an initiative developed by 4Ps National Program Management Office to provide a holistic and integrated response to children who are unable to attend school.

<sup>48</sup> The study revealed that more boys (60 per cent) were affected as compared to girls (40 per cent); most of them were within 15 to 18 years old.

interventions to bring children back to school. Among which is through the Flexible Learning Options that include the Alternative Delivery Modes (ADM) and Alternative Learning System (ALS). As of 31 August 2019, some 191,332 children experiencing gender-based protection issues and difficulties have already returned to school, and about 22,951, i.e., 8,628 females and 14,304 males, were enrolled in the ALS or are under ADM. *Annex J.5* provides some account of girls who availed of ALS and are now back in school. Other programs contributing towards increased girls' participation in school include the provision of Senior High School Voucher Program, and the Government Service Insurance System (GSIS) Scholarship Programs.

### **Efforts to overcome gender segregation in higher education and low enrolment of women in non-traditional fields**

86. In tertiary education, the State, through the CHED, released CMO No. 01, s. 2015<sup>49</sup>, which aims to institutionalize gender equality, gender-responsiveness, and sensitivity in the implementation of various programs for tertiary education in all HEIs. CMO No. 1 (s. 2015) also aims to address gender gaps in the tertiary education including gender segregation in higher education.

87. The enactment of the Universal Access to Quality Tertiary Education (UAQTE) Act<sup>50</sup> ushered the increase in the number of women accessing tertiary education. The law provides subsidy to 655,083 women and 477,897 men enrollees in tertiary education. Around 80,857 of women who received the subsidy were PWDs, who further enjoyed another 50 per cent of the annual benefit, in addition to the regular allocation. The UAQTE Act also reinforced the implementation of the Unified Student Financial Assistance System for Tertiary Education (UniFAST)<sup>51</sup> whose gender-integrated implementation resulted to increased number of women enrolling in male dominated fields (*See Annex J.6*). The Act also complements other poverty alleviation programs of the State. More female students included in the *Listahanan* or the National Household Targeting System for Poverty Reduction and 4Ps programs<sup>52</sup> have availed of the tertiary education subsidy.

88. In response to the decreasing female enrollees in non-traditional trades (*See Annex J.7*), in 2017, the State issued Technical Education and Skills Development Authority (TESDA) Memorandum No. 22 aimed at increasing the enrolment of women in non-traditional trades in all technical-vocational education and training (TVET) Training Institutions (TTIs) accredited by the State. The TTIs were enjoined to increase the enrolment of women in non-traditional trades by at least 3 per cent per

<sup>49</sup> CMO No. 1, series of 2015 on "Establishing the Policies and Guidelines on GAD in CHED and HEIs".

<sup>50</sup> On August 3, 2017, the UAQTE Act was signed into law which provided funding of P40 Billion for the following programs: (1) Free Higher Education for free tuition and 13 other fees, (2) Free Technical Vocational Education and Training, (3) Tertiary Education Subsidy of allowances for books, living, food, travel, PWDs and board examination expenses, and (4) Student Loan program for short term loans. Financial subsidies were provided for succeeding school year 2019–2020 were also provided. The Tertiary Education Subsidy for Academic Year (AY) 2018–2019 amounted to PhP16 billion and was increased to PhP27 billion for AY 2019–2020. Since tuition is free, the maximum sum provided for public HEI grantees is P40,000. Grantees in private HEIs receive P60,000 because which includes the P20,000 for tuition.

<sup>51</sup> In October 2015, the Unified Student Financial Assistance System for Tertiary Education, or UniFAST, was established under RA 10687 which was mandated to harmonize, collate and rationalize all scholarship programs in the Philippines and categorize these into Merit based, Grants-in-Aid and Student Loan Program. The program was meant to assist the most deserving students especially those belong to the marginalized groups to access tertiary education.

<sup>52</sup> The *Listahanan* is an information management system that identifies who and where the poor are nationwide. It enables government organizations and agencies to accurately and objectively identify poor and vulnerable beneficiaries of their poverty reduction programs to maximize efficiency and effectiveness of government resources. The 4Ps is the CCTP of the State.

year starting CY 2017 until CY 2022. *Annex J.8* shows examples of women who have gained some success after graduating from non-traditional trades.

### **Investigation and prosecution of sexual violence and SH against girls in school**

89. Measures have been undertaken to avert VAW cases in schools. In line with CMO No. 01, s. of 2015 and the MCW, the State, through CHED's regional offices, mandated SUCs under their jurisdiction to establish committee on decorum and investigation (CODI) with the function of investigating VAW/sexual harassment cases. To strengthen the capacity of CODIs in handling sexual harassment cases, fora on the ASHA and on the SSA as well as counselling for students<sup>53</sup> were also conducted.

90. The State's Child Protection Policy<sup>54</sup> protects children in school from violence, exploration, discrimination, bullying, and other forms of abuse. In 2017, the Gender-Responsive Basic Education Policy<sup>55</sup> was issued to undertake gender-mainstreaming in education to address gender and sexuality related issues in basic education, to promote the protection of children from all forms of gender-related violence, abuse, exploitation, discrimination, and bullying, and to promote gender equality and non-discrimination in the workplace.

91. The State's technical and vocational education and training agency, TESDA, regularly strengthens its CODI. As of March 2017, TESDA has a total of 67 CODIs established in private and public technology institutions in 11 regions of the country.

### **Development of operational guidelines for schools and training for teachers on reproductive health and sexuality education**

92. The State, through the DepEd, issued Policy Guidelines on the Implementation of the Comprehensive Sexuality Education (CSE) to effectively address the adolescents' needs for health and protection through education. The GAD and CSE competencies cut across all subjects but are mainly lodged in five identified subjects namely: Science, Health, *Araling Panlipunan* (Social Studies), *Edukasyon sa Pagpapakatao* (Values Education) and Personality Development. The essential elements are articulated throughout the students' grade levels with information appropriate to students' development and cultural background. Learning materials and teaching guides related to gender and sexuality education were also developed for teachers to effectively deliver instruction. The key concepts and messages on GAD and comprehensive sexuality education are integrated in various subjects to ensure delivery of age-appropriate education on sexual and reproductive health and rights for all girls and boys (*See Annex J.9*).

93. The State, through the DepEd, also conducted the Adolescent Education Practical Training for Guidance Counsellors and Health Personnel to strengthen and capacitate its guidance and counselling program on HIV and AIDS and RPRH Counselling and psycho-social support.

94. For tertiary education, reproductive health topic is integrated in the curriculum.<sup>56</sup> Gender-Sensitive Curriculum and Trainers' Manual to all TVET

<sup>53</sup> In 2019, the State, through CHED, partnered with the Institute for Women's Studies of the St. Scholastica's College in conducting a 'Gender Sensitive Counselling for Students' who may or are becoming vulnerable and most susceptible to becoming victims of abuse. This equips the schools in the higher education sector with knowledge and proper procedure in addressing cases of VAW.

<sup>54</sup> DepEd Order No. 40, s. 2012.

<sup>55</sup> DepEd Order No. 32, series of 2017.

<sup>56</sup> As mandated under the CMO No.01, s. of 2015 which provides that all institutions of higher learning shall promote and develop Gender-Responsive Curricular Programs that prevent all forms of gender-based discrimination in instruction, research, extension, as well as in marketing methods and the use of promotional materials.

institutions include modules on GAD, AIDS prevention and age-appropriate sexual health education as well as orientation on SOGIE.<sup>57</sup>

## L. Employment and migration

### Women in the informal sector

95. The State recognizes the important contributions of workers in the informal sector, mainly comprised of women. As such, measures have been put in place to protect the rights of women in the informal sector and eventually transition them to the formal sector.

96. Strategic actions addressing the concerns of workers and economic units in the informal economy have been integrated in the PDP 2017–2022, GEWE Plan 2019–2025, as well as in sector plans such as the Blueprint for Decent Employment and Entrepreneurship, 2017–2022 and the Livelihood Agenda 2017–2022. Policy measures to address issues of workers in the informal economy have also been proposed through the WPLA for the 18th Congress which includes “Enacting a Magna Carta of Workers in the Informal Economy (MCWIE)”. Bills have also been filed for the passage of MCWIE to support and protect workers in the informal sector. These include Senate Bill (SB) No. 1636, or the Informal Economy Registration and National Database Act, which is seen as first step to transition the informal sector to the formal economy by creating a database system in the LGUs.

97. The State implements the *Trabaho, Negosyo, Kabuhayan* (Work, Business, and Livelihood) initiative which is aimed at transforming livelihoods into competitive, resilient, and sustainable enterprises by encouraging the formalization and growth of micro, small and medium enterprises (MSMEs).<sup>58</sup> Through the DOLE Integrated Livelihood and Emergency Employment Program (DILEEP),<sup>59</sup> the State continues to support the poor, vulnerable, and marginalized workers, including informal sector workers, either through emergency employment, and promotion of entrepreneurship and community enterprises. The beneficiaries of the DILEEP shall ensure that none of its children engage in child labour. In 2019, a total of 69,035 beneficiaries (with 45 per cent women) were assisted under the DILEEP.

98. The State also continuously adopts a holistic approach and broad set of interventions to address the needs of MSMEs and increase their level of competitiveness, particularly in the areas of mindset, mastery, mentoring, money, machines, markets, and models. Among the programs and services implemented under this framework are the following: SME Roving Academy; *Kapatid* Program (Mentor Me); *Negosyo* (Business) Centers; and Shared Service Facility (*See Annex K.1*). The DSWD also implements the Sustainable Livelihood Program, a community-based capacity building program that aims to improve the socio-economic condition of poor Filipinos by facilitating their access to entrepreneurship. Women in the

<sup>57</sup> TESDA Circular No. 02, s. of 2012.

<sup>58</sup> The program is implemented in partnership with the DTI and is aligned with the implementation of the GoNegosyo Law, the MSMED Plan and the Asia-Pacific Economic Cooperation (APEC) 2015 Action Agenda to Globalize MSMEs.

<sup>59</sup> The DILEEP is implemented by the DOLE Bureau of Workers with Special Concerns through Department Order 173. It has two (2) components: (a) Kabuhayan or DOLE Integrated Livelihood Program (DILP); and (b) TUPAD or Emergency Employment Program. Under the TUPAD Program, a community-based package of assistance is given in the form of emergency employment for displaced workers, the underemployed and the unemployed poor for a minimum of 10 days but not to exceed 30 days, depending on the nature of work. The project beneficiaries are also provided with capital assistance, sanitary tools and equipment for livelihood projects as well as micro-insurance. They are also trained on occupational safety and health courses to ensure the workplace safety of informal sector workers that translates into increased productivity.

informal sectors are also grouped into cooperatives. The State, through the Cooperative Development Authority (CDA) has 11.6 million cooperative members, with 56 per cent women.

99. In 2019, the State also released its Omnibus Guidelines for 2019 Scholarship Programs: Training for Work Scholarship Program, Special Training for Employment (STEM) Program, Private Education Student Financial Assistance, and UAQTE Act. Among the special target beneficiaries are workers in the informal sector, migrant workers, IPs/ICCs, women, PWDs, senior citizens, victims of calamities and disasters, urban poor, solo parents and their children, victims of human trafficking, and internally displaced populations.

100. The State continues to intensify its efforts to facilitate the transition of informal workers to formal economy through the roll-out of the International Labour Organization (ILO) Recommendation 204 in selected regions. Policymakers from the government, LGUs and private sectors have crafted their respective policy recommendations and action plan to further improve the business environment and assist the informal workers in their transition to formal economy.

### **Eliminating gender segregation in the labour market**

101. The State has several programs that contribute to the elimination of gender segregation in occupation. These include the (1) Career Guidance and Employment Program; (2) Special Program for Employment of Students; (3) Public Employment Service Office; (4) UAQTE Act of 2017; (5) TVET programs; (6) STEM-related programs; and (7) WE-ICT (Women Empowerment-ICT) (*See Annex K.2*).

102. In 2019, to help ease the burden of women doing social and care-giving work, including domestic work, the State enacted EML which extends paid maternity leave up to 105 days from the 60 days for normal childbirth and 78 days for caesarean delivery. Paid maternity leave is available to all working mothers, regardless of their civil status, and the legitimacy of their child. The EML also allows women to transfer seven (7) days of their maternity leave to the child's father, an alternative caregiver, or current partner. It also protects women on maternity leave from discrimination, including demotion and layoff.

103. Pursuant to the Domestic Workers Act of 2012, the State issued policies on the promotion of the rights and on the protection of domestic workers (*See Annex K.3*). Campaigns to encourage participation of men in unpaid care work were also launched by private sector partners. These included the women's economic empowerment and Care Dreams Project and the #iLabaYu which encourages husbands to share household chores and responsibilities.

### **Equal pay for work of equal value**

104. The intent of the country's minimum wage policy is to set a wage floor that will protect vulnerable workers from undue low wages. In setting regional minimum wages, the Boards do not distinguish pay across gender. As such, at this level, no gender pay gap exists. Minimum wage rates are generally set across sectors – non-agriculture and agriculture. Enforcement of general labour standards, including minimum wage, is done through an inspectorate system of the DOLE. Gender-based compliance data are also gathered and analysed by the DOLE – Bureau of Working Condition, the agency within the DOLE responsible for the inspectorate program.

105. Meanwhile, women who are displaced due to agricultural mechanization are trained to be Farm Service Providers (FSPs). As FSPs, men and women farmers and workers are organized, trained, given support such as farm machineries and equipment so they will be able to provide mechanized services from land preparation

to harvesting. The payment arrangement is based on land area covered, and male and female members are given equal wages and other benefits being received by those employed in the formal sector. This initiative resulted to some rural women becoming successful leaders of FSP.

### **Addressing sexual harassment in the workplace**

106. The SSA of 2019<sup>60</sup> strengthens the current legal framework on sexual harassment. It recognizes that GBSH may be committed among peers and by a subordinate to a superior.

107. The State is also considering the ratification of the ILO Convention on the Violence and Harassment in the World of Work 2019 (No. 190) supplemented by Recommendation No. 206.

108. The State, through the Regional and Field Offices of the DOLE, conducts orientation seminars for companies on the basic employees' rights, which include relevant laws and regulations concerning anti-discrimination at work. The Labour Laws Standards Compliance Assessment also includes programs on ASHA and the Anti-VAWC laws. Included in the inspections being conducted by labour inspectors is the compliance with "protection against workplace GBV".<sup>61</sup> Of the 70,298 establishments inspected in 2019, a 95.37 per cent compliance rate was recorded.

109. For government workers, the CSC refined the definition of sexual harassment in the 2017 Rules on Administrative Cases in the Civil Service (RACCS).<sup>62</sup> Sexual harassment-related policies have been updated, such as the definition of terms, new provisions on handling sexual harassment cases, and procedures on handling sexual harassment complaints. From 2015 to 30 June 2020, a total of 51 sexual harassment cases have been filed before the CSC Regional Offices while 10 sexual harassment cases have been filed before NGAs within the CSC Regional Offices' jurisdiction.

### **Addressing migration of unskilled migrants**

110. The State implements measures to address vulnerabilities due to migration of unskilled migrants. The State championed the crafting and adoption of the GCM. The implementation of the GCM provides a unique opportunity for States to ensure that the rights, needs and situations of vulnerability of migrant women and girls are addressed while promoting their empowerment, by putting in place gender-responsive migration policies, laws, programs, and services. In 2017, the State also steered the adoption of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers.<sup>63</sup> It also served as the volunteer country shepherd for the ACTIP. It also signed the Manila Declaration to Enhance International Cooperation in Combatting Human Trafficking.

<sup>60</sup> SSA and IRR – Article IV: GBSH in the Workplace – enacted in 2019, the law recognizes and prohibits sexual harassment by peers and subordinates in work, education, and training environments. Prior to the passage of the law, only superiors or persons with moral ascendancy, influence, or authority in such environments could be held liable for sexual harassment under the "ASHA of 1995". The law also bolsters Republic Act (RA) No. 7877 by setting standards for the establishment of CODIs by employers, school heads, and heads of training institutions, as well as penalties for non-compliance with such requirements.

<sup>61</sup> Indicators being looked into include the establishment's compliance with RA 7877 on harassment at the workplace and awareness raising activities on the problem of violence and the elimination of all forms of VAWC.

<sup>62</sup> Pursuant to Section 15, 2017 RACCS, jurisdiction of the CSC over sexual harassment cases.

<sup>63</sup> This is a follow-up document to the 2007 ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.

111. The State continues to intensify its campaign against individuals/groups that violate Philippine recruitment laws and regulations. It continuously conducts Pre-Employment Orientation Seminar (PEOS) and Pre-Deployment Orientation Seminar to departing migrant workers. It also provides assistance against anti-illegal recruitment or TIP. A considerable number of private recruitment agencies' licenses have been cancelled due to these violations, and a number of illegal recruiters have been convicted. Efforts to promote and intensify anti-trafficking national prevention and educational campaigns are also being implemented.<sup>64</sup>

112. To address the vulnerability of overseas Filipino workers (OFW), particularly female domestic workers, the State has entered into bilateral labour agreements with destination countries and continues to conduct regular dialogue with them to ensure that the rights and welfare of OFWs are protected. Through the Philippine Overseas Labour Offices (POLO) in 40 countries, the State has also provided interventions in assisting the workers on their issues and concerns relative to their work conditions and well-being. The State has also established an OFW Command Center to ensure that OFWs and next-of-kin concerns/issues are acted upon promptly.

## M. Health

### Access to sexual and reproductive health including access to modern contraceptives

113. The RPRH Act guarantees women's access to sexual and reproductive health care, including all methods of contraception, sexuality, and reproductive health education, as well as eradication of GBV and prevention of sexually transmitted diseases, including HIV/AIDS. The enactment of the UHC Law, further assures access of women and girls to health services, including sexual and reproductive health as these are automatically covered under the National Health Insurance Program (NHIP). This measure reinforces the MCW which mandates for full access of women and girls to comprehensive health services.

114. Ensuring access of women and girls to modern contraceptives is among the primary measures of the State to deal with the issue of high maternal mortality (*See Annex L.1*). Amidst the challenges that hampered the full implementation of the RPRH Law,<sup>65</sup> the State issued Executive Order (EO) No. 12 on Attaining and Sustaining ZUNMFP through the Strict Implementation of the RPRH Act. On 10 November 2017, the Food and Drug Administration (FDA) concluded their recertification process and issued Resolution 2017-302 certifying 51 contraceptives as non-abortifacient, automatically lifting the TRO. Contraceptive services provided include all methods declared as part of the Essential Medicines List by the World Health Organization. Other implementing policies on ensuring access to broad range of contraceptive methods were also issued.<sup>66</sup> The full implementation of the RPRH Law is also included in the 10-Point Agenda of the State which requires the

<sup>64</sup> These campaigns include the CFO Community Education Program (CEP), PEOS, and Anti-Illegal Recruitment/Trafficking-in-Persons (AIR/TIP) Seminars, DOLE AIR/TIP Campaign, DILG Synchronized Barangay Assembly Day, PNP Information Dissemination campaign, Foreign Service Posts regular engagements with the Filipino communities, and various mandatory pre-departure orientations of NGAs.

<sup>65</sup> Included the issuance of a SC Temporary Restraining Order to DOH on the use of Implanon and Implanon NXT and FDA on Certification of FP Products.

<sup>66</sup> These implementing issuances included those on 1) meeting the unmet need for family planning; 2) ensuring informed and voluntary family planning; 3) allowing midwives and nurses to perform life-saving procedures and provide progestin subdermal implants; and 4) defining strategies for adolescent and youth health and development.

strengthened implementation of the RPRH Law to enable especially poor couples to make informed choices on financial and family planning (FP).<sup>67</sup>

115. In 2017, the SC issued a clarificatory ruling that the TRO issued in 2015 only covered Implanon and Implanon-NXT. It was never meant to enjoin the processing of the entire gamut of FP supplies which are unquestionably non-abortifacient, nor restrain the implementation of the entire RPRH law. In any case, compliance of the DOH to the SC ruling – particularly its due process requirements for certification/recertification of contraceptives as non-abortifacient, has already effectively rescinded the TRO. Currently, the DOH procures reproductive health commodities for all women of reproductive age, and the costs of modern contraceptive methods are covered by the Philippine Health Insurance Corporation (PhilHealth).

116. In addition, both the RPRH Law and the UHC Law guarantee the universal access to medically safe, non-abortifacient, effective, legal, affordable, and quality reproductive health care services, methods, devices, and supplies.

117. The National FP Program is one of the priority public health programs of the State under the RPRH Law anchored on the FOURmula One Plus Strategy (FOPS)<sup>68</sup> and UHC Framework. In 2019, the State, through the DOH, undertook a paradigm shift in its FP programming – from targeting “married women only” to “all women”. The shift to all women population broadens the program clientele as it now covers all women of reproductive age, i.e., 15–49 years old, including those who are unmarried but sexually active. This is in line with the country’s commitment to various international agreements, such as the SDGs and FP 2020, which seek to ensure rights-based family planning. In line with this, target in modern contraceptive prevalence rate (mCPR) for year 2022 was recalibrated from the previous 65 per cent married women to 30 per cent of all women. The aim is to tackle the issue on prevailing teenage pregnancy in the country, provided that parental consent is secured by adolescents prior to accessing FP commodities. Using the FP Estimation Tool, the mCPR for all women of the Philippines in 2019 is projected at 25.7 per cent or around 7,106,000 million women who used modern FP methods. As a result of contraceptive use in 2019, it is estimated that 2.6 million unintended pregnancies were prevented, and 609 thousand unsafe abortions as well as 1,300 maternal deaths were averted.

118. Based on the 2019 Philippines Field Health Services Information System (FHSIS), a total of 6,666,539 women were provided with modern FP services in public health facilities. The three most commonly used modern FP were short-acting methods such as Progestogen Only Oral Contraceptive Pills (19.5 per cent), injectables (19.3 per cent) and Combined Oral Contraceptive pills (17.9 per cent). This was followed by Bilateral Tubal Ligation and Lactational Amenorrhea Method at 11 per cent and 10 per cent, respectively. Fertility awareness-based methods, also known as natural FP methods, comprise the least used method at 2.3 per cent. Almost all (98 per cent) of the current users of modern FP belong to the age group 20–49 while the adolescent age groups 10–14 and 15–19 comprised the remaining 1.5 per cent. In 2018, about 3,946,802 women were reached and identified with unmet need for modern FP of which around 1,680,309 have accepted modern FP methods in 2017 and 2018. This suggests that there are still 2,266,493 women with unmet need for FP

<sup>67</sup> Following-up on this priority agenda, the POPCOM received an additional budget of Php377,600,000.00 in 2019 through a Special Allotment Release Order which was dedicated towards the aim of increasing modern contraceptive prevalence rate (mCPR) to 65 per cent, and lower fertility to the replacement rate of 2.1 average number of children by 2022.

<sup>68</sup> The FOPS for Health is a strategic framework with the vision of healthier Filipinos by achieving universal health care. It has five pillars: (1) health financing, (2) service delivery, (3) regulation, (4) governance, and (5) performance accountability system.

in 2019. The latest report from the FHSIS showed that 668,863 women were new acceptors of modern FP in 2019, which addressed 30 per cent of the remaining unmet need for FP in 2019.

119. Other programs and services being implemented to promote FP and use of modern contraceptives include the Responsible Parenthood and Family Planning (RPF) in Communities, Family Planning Caravans, House to House, FP Outreach missions, RPF in the Workplace, and re-Marriage Orientation and Counselling, among others.

#### **Addressing early pregnancies**

120. The passage of the RPRH law and the UHC Law strengthened the implementation of programs addressing teen pregnancy. The National Safe Motherhood Program operates on a “no discrimination” policy on account of age, gravidity and parity, marital status, economic condition. Pregnant adolescents (aged 10–19) are provided with appropriate antenatal, birthing and postpartum services and are recommended/referred to hospitals for specialized care. Through the Adolescent Health and Development Program, pregnant adolescents are provided with reproductive health services in an adolescent – friendly environment by health care providers trained on adolescent care. At present, there are 704 adolescent-friendly health facilities established in the country. At least 4 per cent of women giving birth in these health facilities per year are adolescents.<sup>69</sup> Adolescents accessing maternity services in health facilities are also reimbursed by PhilHealth. PhilHealth’s Point-Of-Care program also allows enrolment and admission of adolescents accessing maternity care services in health care facilities (*See Annex L.2*).

121. The health promotion and communication activities for adolescents is also key to increased knowledge and awareness on sexuality and reproductive health which leads to increased demand for health services at health facilities. The State has intensified the advocacy, promotion, and communication strategies and the establishment of teen centres and the mobilization of information and service delivery networks (ISDNs)<sup>70</sup> to combat early pregnancies. At present, there are 355 community and school-based teen centres established nationwide. There are also 128 functional and maintained ISDNs established in the country since 2015. An ISDN Guidebook was developed to guide localities in the establishment of ISDNs. Through State’s Youth-for-Youth Initiative program, Filipino teens aged 10 to 19 years old are provided with critical information to empower them in making sound and meaningful decisions concerning their health and overall development. In the last 5 years, the program has reached more than 600,000 adolescents.<sup>71</sup>

122. Currently, a bill aimed at preventing adolescent pregnancies and to institutionalize social protection for adolescent parents has been filed in the 18th Congress.<sup>72</sup> The 2019 Manila Declaration on Addressing the Education, Health, and Development Issues on Early Pregnancy was also forged in response to the clamour

<sup>69</sup> Source: NMP report 2015–2016 as cited in DOH Report.

<sup>70</sup> The ISDN is a constellation or network of information and services programs related to Adolescent Health and development being provided by different organizations including NGAs and CSOs operating in a given area.

<sup>71</sup> Source: 2019 POPCOM Annual Report and KRA reports, as cited in 2019 RPRH Law Implementation Report.

<sup>72</sup> SB No. 1334 or An Act Providing for a National Policy in Preventing Adolescent Pregnancies, Institutionalizing Social Protection for Adolescent Parents, Providing Funds Therefor has been filed in the 18th Congress.

to address teenage pregnancy into corresponding comprehensive policies, budgets, and program.<sup>73</sup>

### **Legalization of abortion**

123. Abortion, when practiced by the woman herself or her parents, for the purpose of concealing the woman's dishonour is still considered a felony under Article 258 of the RPC. Notwithstanding the foregoing prohibition, the 1987 Constitution underscores the need to equally protect the life of the mother and the life of the unborn from conception. In line with this principle, the SC ruled in *Imbong vs. Ochoa* (G.R. No. 204819, April 8, 2014) that "In a conflict situation between the life of the mother and the life of a child, the doctor is morally obliged always to try to save both lives." Hence, "where it is necessary to save the life of a mother, procedures which endanger the life of the child may be resorted to, even if it is against the religious sentiments of the medical practitioner".

124. Pursuant to the RPRH law,<sup>74</sup> the State, through the DOH, issued the National Policy on the Prevention and Management of Abortion Complication (PMAC)<sup>75</sup> through Administrative Order (AO) No. 2016-0041. The PMAC policy ensures that no woman or girl shall be denied appropriate care and information on the basis that she is suspected to have induced an abortion. It also protects the PMAC providers from criminal, civil, and administrative liability in providing post-abortion care, and addresses the challenges experienced by women in post-abortion care as well as the absence of a redress mechanism for the mistreatment and abuse of women. The policy also contributes to the reduction of maternal mortality by addressing the harmful impact of unsafe abortions in the country.

125. In 2018, the DOH also issued the National Policy on the Prevention of Illegal and Unsafe Abortion and Management of Post-Abortion Complications through AO No. 2018-0003. The policy allows the initial management of abortion clients in primary care facilities where health care service providers are allowed to initially

<sup>73</sup> The 2019 Manila Declaration on Addressing the Education, Health, and Development Issues on Early Pregnancy was also forged based on the consensus of multi-stakeholders during the 2019 National Summit. The declaration guarantees the cooperation of NGAs, LGUs, NGOs, CSOs, youth groups, community workers, faith-based organizations, and development partners in translating the clamour to address teenage pregnancy into corresponding comprehensive policies, budgets, and programs. It shall be a mechanism for empowering the youth to make informed choices through age-appropriate and culturally-sensitive comprehensive sexuality education, scaled-up adolescent-friendly health services, genuine participation of adolescents in developing policies and programs, better support systems for pregnant adolescents and adolescent parents, and supporting more research on improving available data on adolescent pregnancy and its determinants.

<sup>74</sup> Section 2[j] of the RPRH law specifically requires that "all women needing care for post-abortion complications and all other complications arising from pregnancy, labour and delivery, and related issues shall be treated and counselled in a humane, non-judgmental and compassionate manner in accordance with law and medical ethics".

<sup>75</sup> The new PMAC policy clearly recognizes the right of women and girls suffering from abortion complications to "humane, non-judgmental, and compassionate post-abortion care," ensuring that no woman or girl shall be denied appropriate care and information on the basis that she is suspected to have induced an abortion. It also provides that "PMAC providers who provide humane, non-judgmental and compassionate post-abortion care shall not be liable for criminal, civil, and administrative complaints." It also addresses the challenges experienced by women in post-abortion care, including issues of privacy and confidentiality, the practice of reporting women who have abortions to authorities, and the absence of a redress mechanism for the mistreatment and abuse of women. It sets an overall direction and identifies the roles and functions of the DOH, its offices and partner agencies in the provision of quality post-abortion care in hospitals and all health facilities both public and private in the service delivery system, and provides guidelines for the integration of PMAC with other reproductive health programs.

manage post-abortion cases, administer life-saving drugs, and are required to make prompt referral and arrange transportation mechanism to referral hospitals, among others. It likewise strengthens the provision of family planning services to help women prevent future unintended pregnancies. The policy also provides technical guidance to public health program implementers and service providers in the prevention of illegal and unsafe abortion and the provision of quality post abortion care in all public and private health facilities in the country.

### Addressing rising number of HIV/AIDS cases

126. The rising prevalence of HIV and AIDS cases (*Annex L.3*) in the country called for intensified measures to address the issue. In 2018, the Philippine HIV and AIDS Policy Law was enacted mandating the State to “ensure access to HIV and AIDS-related services by eliminating the climate of stigma and discrimination that surrounds the country’s HIV and AIDS situation, and the people directly and indirectly affected by it”.<sup>76</sup> With the passage of the HIV and AIDS Policy Act, health services for HIV/AIDS have become accessible to adolescents aged 15 to 18 years old who are pregnant, married, or in high-risk behaviour who are considered a mature minor. They could now undergo HIV testing without the consent of a parent or guardian. The State, through DOH, released several policy issuances<sup>77</sup> to ensure the effective implementation of this law. Mechanisms were likewise established to guarantee the implementation of programs to prevent HIV/AIDS. The Philippine National AIDS Council is reconstituted and is put in-charge of the country’s overall implementation of the AIDS Medium Term Plan.<sup>78</sup>

127. The State has adopted the 90-90-90 strategy of the UN in eliminating HIV and AIDS in 2030. This strategy calls for countries to test 90 per cent of estimated PLHIV, treat 90 per cent of diagnosed PLHIV, and 90 per cent of those in treatment will have viral suppression. The status of the country with respect to the first strategy is 73 per cent (or 71,078 diagnosed PLHIV over 96,800 estimated individuals with HIV). As for treatment, 61 per cent (or 43,020 among those diagnosed) are currently on antiretroviral therapy. The success rate of treatment through measuring viral load levels is 96 per cent although testing rate is still low.

128. The Philippines is one of the few Asian countries providing free antiretrovirals to PLHIV funded by the government. The State also has existing HIV benefit package

<sup>76</sup> The HIV and AIDS Policy Act prohibits and penalizes (1) discriminatory acts or practices in the workplace and learning institutions; (2) restrictions on travel, habitation, and shelter; (3) prohibition from seeking or holding public office; (4) exclusion from credit and insurance services; (5) discrimination in hospitals and health institutions; (6) denial of burial services; (7) bullying; (8) and other analogous discriminatory acts against a person on the basis of actual, perceived, or suspected HIV status.

<sup>77</sup> These policy issuances include: (1) Interim Guidelines on Subsidizing Medical Expenses Incurred by Indigent and Financially Capacitated PLHIV in DOH-Designated Treatment Hubs, (2) Interim Guidelines on the Medical Management of PLHIV and Protocol on Precaution Against HIV Transmission During Medical, Surgical and Other related Procedures, (3) Adoption of PSMID Clinical Practice Guidelines on the Prevention, Diagnosis and Treatment of Opportunistic Infections in HIV Infected Adults and Adolescents in the Philippines, (4) Interim Guidelines on STI, HIV and AIDS Prevention and Control for Drug Abuse Treatment Rehabilitation Centers, (5) Interim Guidelines on the Implementation of Education and Comprehensive Health Intervention for Key Populations and Vulnerable Communities in HIV and AIDS.

<sup>78</sup> The recent 6th AIDS Medium Term Plan (AMTP) 2017–2022 lays out the results to be achieved in six years and provides broad strategic directions for the national, regional, and local multi-sectoral AIDS response in the country. The 6th AMTP seeks to: reduce new HIV/AIDS infection; improve health outcomes and wellness of PLHIV; strengthen systems (health, non-health and community systems including strategic information); improve leadership accountabilities; and increase domestic financing for a sustainable HIV response.

under the NHIP. The State, through DOH, would also establish a program to provide free and accessible treatment and medication to all PLHIV. Other strategies addressing the situation of women PLHIV are mentioned in *Annex L.4*.

129. Comprehensive financial coverage is set in place wherein qualified individuals can avail either the (a) “No Balance Billing” scheme, (b) financial assistance through the *Malasakit* (Care) Program, or the (c) monetary support through the Medical Assistance for Indigent Patients. Partnership between the DOH and LGUs were also forged to help the latter establish their own Social Hygiene Clinics (SHC) capable of providing comprehensive HIV/AIDS health care. As of 2019, there are 153 SHCs established providing HIV prevention, testing, and treatment services primarily to key affected population.

#### **Revocation of EO 003 and 030 of the City of Manila and Sorsogon City’s banning of modern contraceptives**

130. The enactment of the RPRH law technically superseded EOs 003 and 030 of the City of Manila and warrant the compliance of the Manila City Government to effectively enforce the law among its constituents. In the case of Sorsogon City, the State through Commission on Population and Development (POPCOM), conducted a series of dialogue with its local chief executive (LCE) reiterating the role of LGUs to promote informed choice among its constituents, assisting couples to make sound decision on the number and spacing of children by educating them on all methods of FP. This resulted to the LCEs assuring the DOH, through a letter dated January 16, 2017, on the Sorsogon City Government’s continued promotion and implementation of reproductive health programs. Its implementation is regularly being monitored by the Center for Health Development in Region V.

*For the State Response to the Follow-up on CEDAW Committee Concluding Observations by Rapporteur Lia Nadaraia, see Annex Q.*

## **N. Women’s economic empowerment**

### **Access to social security of women in the informal sector**

131. In terms of social health insurance, all Filipinos, including women who are engaged in unpaid work or in the informal sector, both in rural and urban areas, are automatically covered under the NHIP with the passage of the UHC Law.<sup>79</sup> This translates to 100 per cent coverage from the 98 per cent coverage of Filipinos in 2018.

132. Under the EML, maternity leave benefits for women in the informal economy and voluntary contributors to the Social Security System (SSS) are guaranteed. Female workers in the informal economy are entitled to maternity leave benefits if they have remitted to the SSS at least 3 monthly contributions in the 12-month period immediately preceding the semester of her child birth, miscarriage, or emergency termination of pregnancy.

133. In terms of social insurance, as provided in the Women in Development and Nation Building Act, a person legally married to a currently employed and actively paying member of the SSS and who devotes full time in the management of household and family affairs may also be covered on a voluntary basis as a non-working spouse.

<sup>79</sup> Services include access to preventive, promotive, curative, rehabilitative, and palliative care for medical, dental, mental and emergency health services, delivered either as population-based or individual-based health services.

At the same time, the AlkanSSSy Program<sup>80</sup> and the triple-S, which started in 2012, is being implemented to cover informal sector workers and to make saving for monthly SSS premiums affordable. Coverage of the informal sector is continuously expanded with the accreditation of various cooperatives and associations as partner agents, as well as increases the coverage of job order and contractual workers in government who do not fall within the purview of the GSIS through the KaltaSSS-Collect Program. Under the Partner Agent Accreditation Program, paying SSS members as of 31 December 2018 totalled 41,426. The number of registered members of the AlkanSSSy Programs is at 108,779 as of September 2019. Likewise, 44,093 members were registered through the Cooperative Accreditation Program and 230,069 members were covered as job order personnel of the government offices. Indigent senior citizens are also entitled to the provision of P500 monthly cash. As of June 2019, 210,959 beneficiaries received their stipend.

134. The State has also implemented an Unconditional Cash Transfer Program (UCT), which is the biggest tax reform mitigation program under the TRAIN (Tax Reform Acceleration and Inclusion) Law, providing cash grants to poor households and individuals who may not benefit from lower income tax rates provided in the aforementioned law, but may be adversely affected by rising prices. As of June 2019, a total of 3,682,283 households claimed their UCT cash grant, out of the 10,000,000 targeted beneficiaries.

135. An Assessment Based National Dialogue (ABND) was conducted by the ABND Core Group jointly chaired by DOLE-BWSC and NEDA in 2015, to review the State's social protection system with the goal towards establishing a nationally defined social protection floor. The results of the ABND was used to define the base goals and minimum guarantees in terms of social protection. While these guarantees still need to be defined at the national level, at the minimum, these are: (i) access to essential health care, including maternity care; (ii) basic income security for children, providing access to nutrition, education, care, and any other necessary goods and services; (iii) basic income security for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and especially those with disability; and (iv) basic income security for older persons. Most of these elements are already present in the PDP 2017–2022 and existing government programs. *Annex M* presents the current interventions related to social protection initiatives.

## O. Rural women

### **Ensuring rural women's access to adequate food and nutrition and water and sanitation**

136. The women sector is among the basic sectors with the highest poverty incidence along with farmers and fisherfolks.<sup>81</sup> Poverty incidence among women is higher in rural areas compared to urban. Thus, measures are in place to address poverty

<sup>80</sup> The AlkanSSSy, which is a play on the Filipino word "alkansya" (piggy bank), is akin to a huge filing cabinet with around 160 individual boxes or coin slots that can be locked and in which the informal sector workers drop daily amounts in their designated slots. Once a month, the informal sector group (ISG) officers, with the guidance and monitoring of the assigned SSS account officers (AO), would open the individual boxes and count up the amounts saved. Once enough is collected for a month's contribution, ISG officers fill up the SSS payment form, remit the payment to SSS through a third-party collecting agency or a bank.

<sup>81</sup> Poverty incidence among basic sectors is highest among farmers (34.3 per cent), fisherfolks (34.0 per cent) and also among women at (22.5 per cent). Poverty incidence among women refers to the proportion of women (belonging to poor families) with per capita income less than the per capita poverty threshold to the total number of women.

especially among rural women. Enacted in 2019, the MCP aims to uplift the standard of living and quality of life of poor Filipinos.

137. The right to adequate food is one of the fundamental rights of the poor wherein its full realization is guaranteed under the MCP. The State has also been implementing measures to address food and water insecurity. The State has focused on sustainable and healthy food production and processing procedures, as well as food conservation techniques. The RICEponsible campaign was launched to advance responsible food consumption and encourage Filipinos to consume crops<sup>82</sup> other than rice; follow zero waste policy; and diversify food intake following the go, glow, grow recommendation (*Pinggang Pinoy* or Filipino Plate).<sup>83</sup> This campaign highlights the role of women and children to decide and act in the context of household food consumption to achieve food security, end hunger, encourage the efficient use of food resources, and promote health and nutrition. As a result of the government's efforts, the subsistence incidence of individuals residing in rural areas decreased by 6 per cent; among them are women whose subsistence incidence decreased by 4 per cent. The magnitude of food poverty decreased by 44 per cent among individuals residing in rural areas and 41 per cent among women.<sup>84</sup> The State also embarked on the Malnutrition Reduction Program to address malnutrition among children in the countryside through food innovation and nutrition education. Among the important achievements of the program is the reduction of the prevalence of underweight and severely underweight children by 18.94 per cent as of 2019 (*See Annex N.1*). The State also implemented a Supplementary Feeding Program (SFP)<sup>85</sup> through its centre based and community-based services. The SFP seeks to enhance the food intake of children aged 3–12 years. For the 9th Cycle of the SFP in 2019, 1,172,224 children were served as of December 2019 or 62.29 per cent of the 1,881,979 target children.<sup>86</sup> Moreover, women, and children are given opportunities to learn technologies and produce food for their own consumption in their homes and school through training and projects on home gardening, Urban Agriculture, and “*Gulayan sa Paaralan*” (Vegetable Gardening in Schools) Program (GPP).<sup>87</sup>

138. There was a slight increase (approximately 1 per cent) as to those who can access improved sanitation facilities, although there was a slight decrease (-3 per cent) as to the number of rural households having access to improved source of drinking water.<sup>88</sup> As such, the State<sup>89</sup> is more compelled to harness programs and projects that would provide sufficient and safe water for all.

<sup>82</sup> These other crops include corn, banana, sweet potato, and brown rice and rice mix.

<sup>83</sup> For more information, see URL: <https://www.philrice.gov.ph/campaign/be-riceponsible/>.

<sup>84</sup> *Ibid.* p.7.

<sup>85</sup> Supplementary food is being provided to children attending day care sessions and supervised neighbourhood play in addition to regular meals they received from home. The supplemental hot meals are served during snack/meal time to children beneficiaries five days a week for 120 days. The SFP provide augmentation support for feeding program of children in LGU-managed areas and communities. It focuses on using indigenous foods and/ or locally processed foods equivalent to 1/3 of Recommended Energy and Nutrient Intake (RENI); improve knowledge, attitude and practices of children, parents and caregivers through intensified nutrition and health education; and improve and sustain the nutritional program target for children.

<sup>86</sup> Source: DSWD Inputs to the 9th CEDAW Report.

<sup>87</sup> The State through the DA provides seeds, planting materials, tools and equipment, along with technical assistance and information, education and communication materials. The GPP introduces the basic agriculture to students and promotes consumption of vegetables that are rich sources of nutrients and fibre. The schools use the harvested vegetables in their feeding program.

<sup>88</sup> PSA and ICF. Philippine NDHS: Key Indicators. Quezon City, Philippines and Rockville, Maryland, USA: PSA and ICF, 2018 p5.

<sup>89</sup> DILG, DOH and the NAPC.

139. The State implemented the *Sagana at Ligtas na Tubig Para sa Lahat* or “Abundant and Safe Water for All Program” designed to provide water supply systems for 455 waterless municipalities, barangays, health centres, and resettlement sites; and enhance the capacity of the LGUs/water service providers in the planning, implementation, and operation of water supply facilities. To also improve access to water by women and men, the State, through the Department of Agriculture (DA), included Potable Water Supply as one of the infrastructures provided under the World Bank assisted Philippine Rural Development Program.

#### **Eliminating income discrimination**

140. The State improved the rural working conditions for women through the region-based increase in wage rate of rural women farm workers. A Php6 to Php16 increase in the daily basic pay for women as agriculture and forestry workers was recorded annually.<sup>90</sup> This annual increase in daily basic pay resulted to the decreased income discrimination against rural women with the lowest wage gap of Php17.45 recorded in 2016.<sup>91</sup>

141. The State, through agencies like the Philippine Rice Research Institute’s (PHILRICE), has consciously ensured that women farmers benefit from programs and projects that are aimed at increasing their productivity and income through projects like the Rice Business Innovations System, Rice Seed Systems, and Strategic Technology Promotion.

142. Meanwhile, data on women awarded with various lease/ownership instruments have increased. As of December 2019, half of the Fishery Lease Agreement holders are women.<sup>92</sup> Women holders of Certificate of Land Ownership Agreement (CLOA) reached 31 per cent of the 1,920,475 recipients, as of December 2018.<sup>93</sup> This is 4 per cent higher than eight years ago when the gender-responsive land reform policies were not yet enacted. Likewise, women holders of emancipation patent reached 19 per cent of the 500,229 beneficiaries.<sup>94</sup>

143. One of the reasons for the wage gap between men and women farm workers is the perceived incompetency of women in manoeuvring farm machineries. Gender-friendly machineries and technologies have been developed to empower women and encourage their participation in rice production and processing (*See Annex N.2*).

#### **Mainstreaming gender perspective in all agricultural and rural development policies, strategies, plans, programs**

144. Gender mainstreaming initiatives have been very noticeable in rural development efforts of the State in the past three years. In agriculture and fisheries, policies on the integration of gender perspective in the projects, programs, and strategic plans have been issued. In forestry, the State’s National REDD-Plus Strategy has recognized women’s contributions in forest protection and conservation. One of the approaches used was the benefit-sharing scheme in which the whole process was made culture- and gender-sensitive, and specifically considered the traditional marginalized groups e.g., IPs, women, poor households. The initiative resulted to a

<sup>90</sup> PSA. 2018 Gender Statistics on Labour and Employment (GSLE). Quezon City, Philippines: PSA, 2018, pp13–15.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid. p13–14 and 13–15.

<sup>93</sup> Based on the PSA’s 2019 Factsheet Women and Men, see URL: <https://psa.gov.ph/gender-stat/wmf>.

<sup>94</sup> Ibid.

6.28 per cent increase in the number of women farmers, fisherfolks, and forestry workers, as of November 2018.<sup>95</sup>

145. To further uphold rural women's right to resources for food production, the State developed interventions including training on technologies (production, post-harvest, and processing); providing farm inputs (fertilizers and planting materials); facilitating loans/credit; and giving market assistance expedited by local governments for farmers, fisherfolks, and groups of women. In 2017, some 176,248 or 64 per cent of the extension support, education, and training services beneficiaries of the Department of Agriculture (DAR) are women. Almost half, i.e., 43 per cent, of the beneficiaries of planting materials, 32 per cent of the recipients of animals, and 15 per cent of the beneficiaries of fishery production services are women. Rural women farmers and fisherfolks also received equipment and facilities (39 per cent) and production management services (27 per cent).<sup>96</sup>

146. The Seed Program (SP), under the Rice Competitiveness Enhancement Program (RCEP),<sup>97</sup> allows women, PWDs, IPs, and senior citizen land owners and tenants to avail the free distribution of inbred rice seeds. As such, women beneficiaries of inbred rice seeds reached more than a quarter (33 per cent) of the 1,257,000 farmer recipients.

147. The State, through the Agricultural Credit Policy Council (ACPC), has provided women access to credit-to-finance agri-fishery livelihood activities through the agency's various credit and financing programs. The ACPC reported that since 2016, 42–50 per cent of its loan beneficiaries are women. The State also implemented the Expanded Rice Credit Assistance Program (ERCAP) where 42 per cent of the credit recipients are women.<sup>98</sup>

148. The State also implemented rural microenterprise programs where majority of the beneficiaries are women micro-entrepreneurs. As of December 2019, 53 per cent of the beneficiaries of DA's market services are women.<sup>99</sup> It also implemented the One Town One Product program in support of rural women micro-entrepreneurs.<sup>100</sup>

149. The State's implementation of the GREAT Women Project 2 (GWP 2) resulted to improvements in the condition of women entrepreneurs. GWP 2 provided customized assistance to improve sustainability, productivity, and competitiveness of Women Micro Entrepreneurs based on their entrepreneurial needs.

150. On the participation in local governance and decision-making, the MCW mandates the State to support the inclusion of women in local decision-making. As such, the State, through the Bureau of Fisheries and Aquatic Resources, deputized women (11 per cent) as fish wardens.<sup>101</sup> Women also comprise almost half (48 per

<sup>95</sup> PSA 2018 GSLE. Quezon City, Philippines: PSA, 2018 p3–112 and 3–118.

<sup>96</sup> Based on DA's Report for UN CEDAW.

<sup>97</sup> The RCEP aims to improve the competitiveness and income of rice farmers through increasing the yield while reducing the production cost. The program was created through the Rice Trade Liberalization Law. Two of its sub-programs directly benefited women rice farmers and one of which is the SP.

<sup>98</sup> The 42 per cent of ERCAP women beneficiaries received an equivalent amount of P1, 219,650.00 of the budget going directly to assisting women rice farmers. The ERCAP is separate from the regular agriculture sector's loan/credit assistance. For the regular loan/credit assistance, almost half (49 per cent) of the total agricultural credit from the government was given to rural women. The total amount of this assistance for women is equivalent to P347, 300,000.00.

<sup>99</sup> Ibid.

<sup>100</sup> The One Town One Product program encompasses the whole agricultural value chain from production to marketing. The NGAs ensure support to women agricultural workers and micro-entrepreneurs from the quality control of the produce, post-harvest handling, value-adding, and marketing through the promotion of a one-stop shop in every LGU.

<sup>101</sup> Ibid.

cent) of the agricultural extension providers who plan and implement local projects.<sup>102</sup> There is also a notable membership of women in rural-based organizations (RBO) such as the *Pambansang Mannalon, Maguuma, Magbabaol, at Magsasaka ng Pilipinas* and *Magsasakang Siyentista* (National Farmers Association of the Philippines and Farmer Scientists). These RBOs advocate for action to address the needs of the agriculture sector. To date, the number of NAPC’s women council members across its 14 basic sectors increased to 48.5 per cent for the period 2015–2020, from 42 per cent for 2011–2014. The National Commission on Indigenous Peoples (NCIP) also implements the Culturally Appropriate, Responsive and Gender Sensitive Socio-economic and Ecology Development and Protection Services (IP-CREATES) programs which requires the participation of women in the formulation, implementation, and evaluation of plans/programs/projects for national, regional and local development. See *Annex N.3* for other initiatives that are mainstreamed with gender. Some notable results are mentioned in *Annex N.4a and N.4b*.

#### **Dissemination of the Committee’s General Recommendation No. 34**

151. The State, through its duty-bearers, has reproduced, published, and disseminated knowledge products such as flyers, brochures, magazines, and broadsheets on the rights of rural women. Technology guides and stories of rural women have also been translated in local languages to raise awareness on women as farmers and fisherfolks. Through this, the invaluable contribution of rural women in the agriculture and fishery sector, as well as in the community, is being recognized.

## **P. Disadvantaged groups of women**

### **Measures to ensure equal rights, opportunities and protection of women facing multiple and intersecting forms of discrimination**

152. The State has instituted measures to ensure equal rights, opportunities, and protection of women especially those belonging to vulnerable groups. The 2017–2022 Strategic Plan of IACVAWC has prioritized the issue of “limited delivery of advocacy programs to reach women in the marginalized sectors, including IP women, Muslim women, elderly women, women with disabilities, women in remote areas and young girls”. Likewise, the Climate Change Commission’s (CCC) Resolution 2019-02<sup>103</sup> has targeted women in ICCs as beneficiaries due to their particular vulnerabilities to climate hazards. Capacity building on VAWC and IPRA, specifically on IP women’s rights on equal protection, treatment, participation in decision-making, and equal access to basic services, as well as livelihood and entrepreneurship projects, such as backyard gardening and IP attire-making. Consultations for the crafting of the BOL with the indigenous women in the BARMM has resulted to positive gains.<sup>104</sup> Women Peace Tables have been conducted to “facilitate the conversation with women to increase awareness on the NAPWPS, and identify issues emanating from armed conflict”. Part of those consulted were the Mangyan women of Mansalay, Oriental Mindoro. IP women were likewise included during the three consultations conducted by the National Economic and Development Authority in March 2019 for the 2nd Voluntary National Review of SDGs. This has resulted to the articulation of priority

<sup>102</sup> Agricultural Training Institute. *Agricultural Extension Workers Profiling 2018: Emphasizing the Role of Local Government Units in the Delivery of AF Extension Services*. Quezon City, Philippines: Agricultural Extension Institute, 2018 p10.

<sup>103</sup> The measure is on mainstreaming and strengthening gender-responsive approaches in the formulation and implementation of climate change policies, plans, programs and activities.

<sup>104</sup> One of the two seats allotted for women under the Bangsamoro Transition Authority was given to an indigenous woman.

issues of IP and IP Women in the national plan for SDG implementation of the country and an emphasis on gender equality as a key priority in attaining the SDGs.<sup>105</sup>

153. The State has also implemented the International Social Welfare Services for Filipino Nationals (ISWSFN).<sup>106</sup> In 2019, 32,557 distressed and/or undocumented Filipinos were provided assistance under the ISWSFN, where 65.37 per cent of whom are females (*See Annex O.1a and O.1b*). At the DSWD Processing Center for Displaced Persons, a total of 9,272 individuals i.e., 6,877 males and 2,395 females, were served.

154. The State has also strengthened the protection of the rights of girl children in armed conflict with the enactment of the SP CSAC Act.

### **Ensuring that victims of forced eviction and relocation are provided with effective remedies**

155. Promulgated in 2018, the “Expanded National Integrated Protected Areas System Act of 2018”<sup>107</sup> recognizes the rights of IPs/ICCs to “govern, maintain, develop, protect, and conserve” protected areas in accordance with their “indigenous knowledge systems and practices and customary law”. The rights of IPs to their ancestral domain have also been further recognized with the enactment of the BOL.<sup>108</sup>

156. The fast tracking of titling of ancestral domain/lands by the NCIP has been included in NAPC’s priority agenda. As of April 2019, there were 243 Certificates of Ancestral Domain Titles with a total land area of 5,735,893.1072 hectares and a total of 1,314,419 IPs as rights holders or about 9.39 per cent of the total estimated IP population of 14,000,000.

<sup>105</sup> Ibid., p. 65.

<sup>106</sup> The ISWSFN is established to provide timely and responsive or appropriate social welfare and social protection services to overseas Filipinos, as follows: Psychosocial Services (i.e., counselling, psychosocial processing, critical incident stress debriefing and values orientation); Assistance to Individuals in Crisis Situation (i.e., food, transportation, medical and educational assistance); Marriage Counselling Services (i.e., pre-marriage counselling, marriage enrichment counselling and marital crisis counselling); Orientation on Alternative Parental Care (i.e., adoption, foster care, residential care and legal guardianship); Capability Building and Skills Training; Repatriation and Reintegration Services; and, Referral Services. ISWSFN is available in the following locations: Malaysia; Hong Kong; Riyadh and Jeddah, Kingdom of Saudi Arabia; Dubai and Abu Dhabi, United Arab Emirates; Kuwait; and, Doha, Qatar. Through the program, the DSWD provides comprehensive social welfare and social protection services to vulnerable and disadvantaged Filipinos in other countries to promote their well-being and best interest. Overseas Filipino clients of the ISWSFN include victims of trafficking or kidnapping, illegal recruitment, exploitation, abuse and maltreatment or unfair labour practice by employers; victims of human-induced or natural disasters; individuals with domestic or family problems; individuals with extra-marital relationship; individuals in common law relationship; illegal entrants; overstaying individuals; individuals accused or suspected of a crime; victims of petty crimes; children in need of special protection such as those abandoned, neglected, exploited or abused; individuals applying for Legal Capacity to Contract Marriage Certificate; and, individuals needing information on the DSWD services.

<sup>107</sup> The same law also provides representation from at least one (1) but not more than three (3) representatives from all IPs/ICCs in the protected areas to sit as members of the Protected Area Management Board.

<sup>108</sup> Art. 9. Section 3 of the BOL on IP Rights provides that “[T]he BG shall create a ministry for indigenous peoples ... to promote the well-being of all indigenous peoples in the BARMM in recognition of their ancestral domain as well as their rights thereto.” The same section further provides that “[T]he BG recognizes the rights of the indigenous peoples and shall adopt measures for the promotion of the following rights:  
(d) Equitable share in revenues from the utilization of resources in their ancestral lands;  
(e) Free, prior and informed consent...”.

157. Meanwhile, the State's housing projects abide by and respect the rights of IPs to their ancestral domain. With the aim to improve the lives of the ICCs/IPs,<sup>109</sup> the State's housing projects for IPs were built within their ancestral domain titles after validation of their legitimacy as part of the legitimate tribal group. While yet to operationalize, the Inter – Agency Coordinating Indigenous Peoples Rights Violations Quick Response Mechanism (IAC – IPRV QRM) was created to ensure that government bodies especially the DOJ, are going to file appropriate cases against alleged perpetrators of violations of ICCs/IPs' rights.

**Consulting with Muslim Bangsamoro and non-Muslim ICCs to identify solutions to land management**

158. Land issues are root causes of conflict in the Bangsamoro. To address the issue and prevent escalation of conflicts, hearings and consultations in aid of legislation have been conducted by the Committee on Public Order and Safety, a committee under the Parliament. Parallel efforts have also been undertaken at the provincial level through the Peace and Order Council.

**Responding to acts of violence against IP women human rights defenders**

159. The IAC – IPRV QRM responds to acts of violence against IPs including violence against IP women human rights defenders. While yet to operationalize, the IAC-IPRV QRM ensures that government bodies, especially the DOJ through its prosecutors, will file appropriate cases to alleged perpetrators of violence.

**Q. Natural disaster and climate change**

**Translating legal and policy framework relevant to natural disasters and climate change into practice**

160. The State has made significant strides in the implementation of disaster risk reduction planning and activities. Disaster risk reduction management (DRRM) and climate change adaptation have been integrated in various plans and framework in line with the Philippine DRRM Act of 2010 and with the country's commitment to the SDGs.

161. The CCC ensures that gender mainstreaming efforts are included in the country's National Strategic Framework and Program on Climate Change (NSFPCC).<sup>110</sup> Gender mainstreaming has been reinforced through the adoption of the Philippine NCCAP 2011–2028, with the ultimate goal of building the adaptive capacities of women and men in their communities, among others.<sup>111</sup> Similarly, the State embarked on updating its national disaster plan to implement the Philippine DRRM Act following the recommendations from the sunset review of the law in 2014. To ensure that disaster risk reduction and climate change measures are gender-

<sup>109</sup> The National Housing Authority (NHA) MC No, 2018-029 dated October 12, 2018 provides the updated guidelines for the implementation of a housing assistance program for ICCs/ IPs, to improve the living conditions of IP women, men and children by providing them decent shelter. NHA provides funds for land development and housing construction and technical assistance for the formulation of land development and housing plans.

<sup>110</sup> The NSFPCC lays the foundation for national and local government policies toward a climate-resilient Philippines with healthy, safe, prosperous, and self-reliant communities, and thriving and productive ecosystems. Source: Climate Laws and Policies. Lifted from [www.gov.ph](http://www.gov.ph) on 16 June 2020.

<sup>111</sup> Other goals of the Philippine NCCAP 2011–2028 are to increase the resilience of vulnerable sectors and natural ecosystems to climate change and optimize mitigation opportunities towards gender-responsive and rights-based sustainable development.

responsive, sensitive to indigenous knowledge systems, and respectful of human rights, gender analysis will be undertaken as part of early recovery and post-disaster needs assessment. The draft National DRRM Plan 2020–2030 also takes on a “resilience lens” that harmonizes DRMM, climate change adaptation and human security.

162. To help ensure that the national policies on Climate Change Adaptation and Mitigation and DRRM are gender-responsive, the PCW was made a member of the CCC Advisory Board, Technical Working Group member of the Green Climate Fund Designated Authority of the Philippines, and the People’s Survival Fund Board. In November 2018, the PCW and the CCC forged a partnership to build capacity for engendering climate change actions. In 2016, through a formal submission to the United Nations Framework Convention on Climate Change (UNFCCC), it proposed elements and guiding principles for the advancement of the Lima Work Program on Gender and Climate Change (LWPGCC).<sup>112</sup>

163. The DSWD also implements DRRM Programs which include emergency shelter assistance, food/cash-for-work for early recovery and cash-for-work for climate change adaptation and mitigation (*See Annex P*).

## R. Marriage and family relations

### **Amendment of the FC, prohibition of divorce and contradiction between the MCW and CMPL**

164. The adoption of a bill to repeal discriminatory provisions of the FC remains a legislative priority of the PCW for the 18th Congress through the WPLA.

165. The State has gained some ground on the matter of divorce in its legal framework. In 2018, the SC issued a landmark decision allowing judicial recognition of foreign divorces initiated by a Filipino citizen against a foreign spouse.<sup>113</sup> Currently, the proposed legislature is both pending at the HOR and the Senate.

166. The BOL guarantees the protection of women. It ensures that the BG shall uphold and protect the fundamental rights of women, including the right to engage in lawful employment, and to be protected from exploitation, abuse, or discrimination.<sup>114</sup> It also provides for the institutionalization of a mechanism that will promote gender equality and women’s empowerment. The BWC was formally created through the

<sup>112</sup> The Philippines actively supported the development of a Gender Action Plan of the UNFCCC. In 2016, through a formal submission to the UNFCCC, it proposed elements and guiding principles for the advancement of the LWPGCC, which included (i) development of skills and capacity-building training programs on gender and climate change for UNFCCC Secretariat and State Parties; and (ii) mainstreaming of a gender perspective in the Guidelines on National Communication. At COP23 in 2018, Parties adopted a Gender Action Plan and invited the Secretariat and relevant organizations to undertake the activities under priority areas – capacity-building, knowledge sharing and communication, gender balance, participation and women’s leadership, consistent implementation of gender-related mandates and activities, and gender-responsive implementation and means of implementation. (Lifted from the CCC Inputs to the Philippines’ 9th CEDAW Report.)

<sup>113</sup> “CFO Lauds Landmark SC Ruling on the Recognition of Foreign Divorce Obtained by a Filipino”, 08 May 2019. Lifted from CFO website (<https://cfo.gov.ph/cfo-lauds-landmark-supreme-court-sc-ruling-on-the-recognition-of-foreign-divorce-obtained-by-a-filipino/#:~:text=The%20landmark%20decision%20paves%20the,for%20and%20obtains%20the%20divorce.>) on 8 October 2020.

<sup>114</sup> Under Social Justice Section 12 Protection of Women of RA No. 11054 “Organic Law for the BARMM.

Bangsamoro Autonomy Act No. 8, which was signed in February 2020.<sup>115</sup> Among the important functions of the BWC include the piloting of special programs for women in the Bangsamoro, recommend policies and legislation to the Bangsamoro Parliament relating to women, monitor and assess the compliance of the BG to CEDAW, UNSCR 1325 and all other international instruments to which the Philippines is a signatory, and work with law enforcement agencies, Sharia and regular courts, and other institutions and stakeholders to address GBV and other women's issues.

167. The BWC has committed to push for the amendment of the innovative provision under the CMPL. The proposed GAD Code of BARMM contains a provision discouraging child and forced marriage. At the national level, the State's initiative to prohibit and declare child marriage illegal has made strides in the previous and current Congress.

---

<sup>115</sup> This law strengthens the Regional Commission on Bangsamoro Women (RCBW), the principal women development agency of the defunct ARMM, in terms of powers and functions. It gives the Commission the power to recommend to the Bangsamoro Parliament the non-approval of the annual budget of any ministry, which does not implement a GAD plan.

## Abbreviations

|         |   |
|---------|---|
| AIMWIDE | Accelerating the Implementation of the Magna Carta of Women for Inclusive Development and Empowerment |
| ACTIP   | Convention Against Trafficking in Persons, Especially Women and Children                              |
| ARL     | Anti-Rape Law   |
| ASEAN   | Association of Southeast Asia Nations   |
| ASHA    | Anti-Sexual Harassment Act  |
| ARMM    | Autonomous Region in Muslim Mindanao  |
| BARMM   | Bangsamoro Autonomous Region in Muslim Mindanao   |
| BDP     | Bangsamoro Development Plan   |
| BOL     | Bangsamoro Organic Law  |
| BPfA    | Beijing Platform for Action on Women  |
| BWSC    | Bureau of Workers with Special Concerns   |
| BWC     | Bangsamoro Women's Commission   |
| CCC     | Climate Change Commission   |
| CCTP    | Conditional Cash Transfer Program   |
| CDA     | Cooperative Development Authority   |
| CES     | Career Executive Service  |
| CESB    | Career Executive Service Board  |
| CHED    | Commission on Higher Education  |
| CHR     | Commission on Human Rights  |
| CLOA    | Certificate of Land Ownership Agreement   |
| CMO     | CHED Memorandum Order   |
| CMPL    | Code of Muslim Personal Laws  |
| CODI    | Committee on Decorum and Investigation  |
| COMELEC | Commission on Elections   |
| CSC     | Civil Service Commission  |
| CSO     | Civil Society Organization/s  |
| DA      | Department of Agriculture   |
| DBM     | Department of Budget and Management   |
| DepEd   | Department of Education   |
| DFA     | Department of Foreign Affairs   |
| DILG    | Department of the Interior and Local Government   |

---

|              |  |
|--------------|--|
| DILEEP       | DOLE Integrated Livelihood and Emergency Employment Program  |
| DOH          | Department of Health   |
| DOJ          | Department of Justice  |
| DOLE         | Department of Labour and Employment  |
| DSWD         | Department of Social Welfare and Development   |
| DTI          | Department of Trade and Industry   |
| FDS          | Family Development Session   |
| EML          | Expanded Maternity Leave   |
| ERPAT        | Empowerment and Reaffirmation of Paternal Abilities Program  |
| FC           | Family Code  |
| FOPS         | FOURmula One Plus Strategy   |
| FP           | Family Planning  |
| GAD          | Gender and Development   |
| GBV          | Gender-based Violence  |
| GBVO         | GBV Observatory  |
| GCM          | Global Compact for Safe, Orderly and Regular Migration   |
| GEWE         | Gender Equality and Women's Empowerment  |
| GOG          | Gender Ombud Guidelines  |
| GGGI/GGI     | Global Gender Gap Index  |
| GII          | Gender Inequality Index  |
| GSIS         | Government Service Insurance System  |
| GWP          | Gender Responsive Economic Actions for the Transformation (GREAT) Women Project                            |
| HB           | House Bill   |
| HDI          | Human Development Index  |
| HDR          | Human Development Report   |
| HEI          | Higher Education Institutions  |
| IAC-IPRV-QRM | Inter – Agency Coordinating Indigenous Peoples Rights Violations Quick Response Mechanism (IAC – IPRV QRM) |
| IACVAWC      | Inter-Agency Council on Violence Against Women and their Children  |
| IC           | Incorporation Clause   |
| ICC          | Indigenous Cultural Communities  |
| ILO          | International Labour Organization  |

---

|          |  |
|----------|--|
| IP       | Indigenous Peoples   |
| IPRA     | Indigenous People's Rights Act                             |
| LGBTI    | Lesbian, Gay, Bisexual and Transgender and Intersex        |
| LGU      | Local Government Unit                                      |
| LWPGCC   | Lima Work Program on Gender and Climate Change             |
| MCP      | Magna Carta of the Poor                                    |
| MCW      | Magna Carta of Women                                       |
| MCWIE    | Magna Carta of Workers in the Informal Economy             |
| MGEC     | Media and Gender Equality Committee                        |
| MOVE     | Men Opposed to Violence Against Women Everywhere           |
| MSME     | Micro, Small and Medium enterprises                        |
| NAPC     | National Anti-Poverty Commission                           |
| NAPWPS   | National Action Plan on Women, Peace and Security          |
| NBI      | National Bureau of Investigation                           |
| NCCAP    | National Climate Change Action Plan                        |
| NCDA     | National Council on Disability Affairs                     |
| NCIP     | National Commission on Indigenous Peoples                  |
| NDHS     | National Demographic and Health Survey                     |
| NDRRM    | National Disaster Risk Reduction and Management            |
| NEDA     | National Economic and Development Authority                |
| NGO      | Non-Government Organizations                               |
| NHIP     | National Health Insurance Program                          |
| NSFPCC   | National Strategic Framework and Program on Climate Change |
| PAO      | Public Attorneys' Office                                   |
| PCW      | Philippine Commission on Women                             |
| PDP      | Philippine Development Plan                                |
| PEOS     | Pre-Employment Overseas Seminar                            |
| PHILRICE | Philippine Rice Research Institute                         |
| PHRC     | Presidential Human Rights Committee                        |
| PHRCS    | Presidential Human Rights Committee Secretariat            |
| PO       | Prosecutor's Office  |
| POPCOM   | Commission on Population and Development                   |

|         |  |
|---------|--|
| PNP     | Philippine National Police   |
| PSA     | Philippine Statistics Authority                                    |
| RA      | Republic Act   |
| RCEP    | Rice Competitiveness Enhancement Program                           |
| RDC     | Regional Development Council                                       |
| RPC     | Revised Penal Code   |
| RPRH    | Responsible Parenthood and Reproductive Health                     |
| RRPTP   | Recovery and Reintegration Program for Trafficked Persons          |
| RTC     | Regional Trial Court   |
| SB      | Senate Bill  |
| SC      | Supreme Court  |
| SDG     | Sustainable Development Goal/s                                     |
| SME     | Small and Medium Enterprise/s                                      |
| SP      | Seed Program   |
| SSA     | Safe Spaces Act  |
| SSS     | Social Security System   |
| SUC     | State Universities and Colleges                                    |
| UAQTE   | Universal Access to Quality Tertiary Education                     |
| UniFAST | Unified Student Financial Assistance System for Tertiary Education |
| UNFCCC  | United Nations Framework Convention on Climate Change              |
| UNSCR   | UN Security Council Resolution/s                                   |
| VAW/C   | Violence Against Women and their Children                          |
| WCPD    | Women and Children Protection Desks                                |
| WCPU    | Women and Children Protection Unit                                 |
| WPLA    | Women's Priority Legislative Agenda                                |
| WPPRL   | Women's Political Participation and Representation Law             |
| ZUNMFP  | Zero Unmet Need for Modern Family Planning                         |

---